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P A P E R S

RELATING TO

EAST INDIA AFFAIRS.

(Resident Europeans.—Police.—MISSIONARIES.—Weavers, and Investments.)

Ordered, by The House of Commons, to be printed,
14 April 1813.

LIST OF PAPERS

Presented to The Honourable House of Commons, pursuant to Orders,
dated the 2nd—7th—9th—and 12th of April 1813.

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Copy of a PROCLAMATION of Lord William Bentinck, Governor of India, dated 11th March 1851, in relation to the application of the Hon. Secy. of the Navy for a grant of land for a military reservation.

No. 11.

Copy of a PROCLAMATION of Lord William Bentinck, Governor of India, dated 11th March 1851, in relation to the application of the Hon. Secy. of the Navy for a grant of land for a military reservation.

For India House,
14th April 1851.

—No. 1.—

Extracts from such TREATIES with the Native Powers of *India*,
as relate to the RESIDENCE of *Europeans* in their respective States.

EXTRACT TREATIES CONCLUDED BY THE GOVERNMENT OF BENGAL.

Treaty with Nudjum ul Dowla, Nabob of Bengal: 1765.

ARTICLE 10.—I will allow no Europeans whatever to be entertained in my service; and if there already be any, they shall be immediately dismissed.

Treaty with Asuf ul Dowlah, Nabob of Oude: 1775.

Article 2.—The aforesaid Nabob engages never to entertain or receive in his dominions Cossim Ally Cawn, the former Soubadar of Bengal; and Sumro, the murderer of the English; even in case of his getting them into his hands, he will, out of friendship, make them prisoners, and deliver them up to the English Company. He also engages, not for any cause or under any pretence, to entertain Europeans of any nation in his service, without the consent of the English Company. That he will prevent, oppose, and send back such as offer to come into, pass through or remain, or shall be in his dominions, without the perwannah of the English Company. The Europeans of every nation, in the service of the said Nabob, are hereby dismissed; and now and in the future, he engages never to entertain the said Europeans, and to deliver up to the English Company such of their servants who have deserted or may desert, in case of his apprehending them.

Treaty with the Ranah of Gohud: 1779.

Article 9.—No English factory shall be established in the dominions of the Maha Rajah. No persons of any denomination shall be sent into his dominions on the part of the English Company, or with the licence of the Governor General and Council, without his previous consent; neither shall his ryots be pressed for any military service, nor any authority exercised over them but his own.

Treaty with the Marattas: 1782.

Article 13.—The Peshwa hereby engages, that he will not suffer any factories of other European nations to be established in his territories, or those of the chiefs dependant on him, excepting only such as are already established by the Portuguese; and he will hold no intercourse of friendship with any other European nations: and the English, on their part, agree, that they will not afford assistance to any nation of Decan or Indostan, at enmity with the Peshwa.

Treaty with the Nabob of Oude, Asoph ul Dowlah: 1787.

Lord CORNWALLIS's Proposition.

If any Europeans shall reside there without my permission in writing, your Excellency shall oblige him to quit the country; or, if demanded, send him to the Resident on the part of the Company.

NABOB's Answer.

I have not answered every particular of your Lordship's kind letter, because I have heard, that your Lordship positively means to come to this quarter, and when we meet, every matter will be answered in a most friendly manner. Now, considering acquiescence to your Lordship's orders and preservation of your pleasure as the principle of friendship, I have complied.

Treaty with the Rajah of Travancore: 1797.

Article 6.—The reigning Rajah of Travancore for the time being, shall not keep in his service, in any civil or military capacity, nor allow to remain within his dominions, as merchants or under any other plea or pretext, the subjects or citizens of any nation being at war with Great Britain or with the East India Company; nor under any circumstances of peace

No. 1.
Extracts
from Treaties, rela-
tive to
Residence of
Europeans.

or war, allow any European nation to obtain settlements (*i. e.* territory or places under their own authority) within the same, nor enter into any new engagements with any European or Indian States, without the previous concurrence of the British Government in India.

Treaty with the Vizier Nabob of Oude, Saadit Ali: 1798.

Article 15.—The Nabob, Saadit Ali Khan, engages and promises, that he will not entertain any Europeans of any description in his service, nor allow any to settle in his country, without the consent of the Company.

Treaty with the Nizam: 1798.

Article 6.—Immediately upon the arrival of the subsidiary force at Hyderabad, the whole of the officers and servants of the French party are to be dismissed, and the troops composing it dispersed and disorganized, that no trace of the former establishment shall remain. And his Highness hereby engages, for himself, his heirs and successors, that no Frenchman whatever shall ever hereafter be entertained in his own service, or in that of any of his chiefs or dependants, nor be suffered to remain in any part of his Highness's dominions; nor shall any Europeans whatever be admitted into the service of this state, nor be permitted to remain within his territories, without the knowledge and consent of the Company's government.

Treaty with the Nizam: 1800.

Article 1.—That all the former treaties and agreements between the two states, now in force, and not contrary to the tenor of this agreement, shall be confirmed by it.

Treaty with the Peshwa: 31st December 1802.

Article 11.—Whereas it has been usual for his highness Rao Pundit Purdhaun Bahauder to enlist and retain in his service Europeans of different countries, his said Highness hereby agrees and stipulates, that in the event of war breaking out between the English and any European nation, and of discovery being made that any European or Europeans in his service, belonging to such nation at war with the English, shall have meditated injury towards the English, or have entered into intrigues hostile to their interest, such European or Europeans so offending, shall be discharged by his said Highness, and not suffered to reside in his dominions.

Treaty with the Rajah of Jyepoor (or Jyenagur): 1803.

Article 7th.—The Maha Rajah shall not entertain in his service, or in any manner give admission to any English or French subjects, or any other person from among the inhabitants of Europe, without the consent of the Company's Government.

Treaty with Rajah Umbajee Rao Englah: 1803.

Article 4.—Rajah Umbajee shall not entertain in his service, or in any manner give admission to any English or French subjects, or any other person from among the inhabitants of Europe, without the consent of the English Government.

Treaty with the Rajah of Berar: 1803.

Article 8.—Senah Sahab Soubah engages never to take or retain in his service any Frenchman, or the subject of any other European or American power, the government of which may be at war with the British Government, or any British subject, whether European or Indian, without the consent of the British Government. The Honourable Company engage, on their part, that they will not give aid or countenance to any discontented relations, rajahs, zemindars, or other subjects of Senah Sahab Soubah, who may fly from or rebel against his authority.

Treaty with Dowlut Rao Scindiah: 1803.

Article 13.—The Maha Rajah, Ali Jah Dowlut Rao Scindiah, engages never to take or retain in his service any Frenchman, or the subject of any other European or American power, the government of which may be at war with the British Government, or any British subject, whether European or native of India, without the consent of the British Government.

Treaty with the Ranah of Gohud: 1804.

Article 9.—Maha Rajah Ranah shall not entertain in his service, or in any manner give admission to any English or French subjects, or any other persons from amongst the inhabitants of Europe, without the consent of the British Government.

Treaty with the Rajah of Travancore: 1805.

Article 8.—His Highness stipulates and agrees, that he will not admit any European foreigners into his service, without the concurrence of the English Company Bahaudur; and that he will apprehend and deliver to the Company's Government all Europeans, of whatever

whatever description, who shall be found within the territories of his said Highness, without regular passports from the British Government, it being his Highness's determined resolution not to suffer, even for a day, any European to remain within his territories, unless by consent of the said Company.

Treaty with the Rajah of Bhurrutpore: 1805.

Article 8.—The Maha Rajah shall not, in future, entertain in his service, nor give admission to any English or French subjects, or any other person from among the inhabitants of Europe, without the sanction of the Honourable Company's Government; and the Honourable Company also agrees, not to give admission to any of the Maha Rajah's relations or servants without his consent.

Treaty with Jeswunt Rao Holkar: 1805.

Article 6.—Jeswunt Rao Holkar hereby engages never to entertain in his service Europeans of any description, whether British subjects or others, without the consent of the British Government.

EXTRACT TREATIES CONCLUDED BY THE GOVERNMENT OF
FORT ST. GEORGE.

Agreement with the Rajah of Tanjour, 20th October 1771.

IF any Europeans, in the service of the Sircar and Company, have deserted and fled to me, I will deliver them up.

Agreement with the Rajah of Tanjour: 1776.

The Company will be pleased to acquiesce to the following conditions:

Article 3.—No houses shall be built by the Sircar in villages, called Agne, where Bramins reside. No European shall be allowed to dwell near any tanks or ponds belonging to pagodas or Bramin villages.

Treaty with the Rajah of Mysore: 1799.

Article 7.—His Highness stipulates and agrees, that he will not admit any European foreigners into his service, without the concurrence of the English Company Bahaudur; and that he will apprehend and deliver up to the Company's Government all Europeans, of whatever description, who shall be found within the territories of his said Highness, without regular passports from the Company's Government; it being his Highness's determined resolution not to suffer, even for a day, any European foreigners to remain within the territories now subjected to his authority, unless by consent of the said Company.

Treaty with the Rajah of Tanjore: 1799.

Article 11.—His Excellency the Rajah stipulates and agrees, that the said fort shall in no case whatever, become an asylum for public offenders, or for persons desirous of escaping from the jurisdiction of the courts of civil and criminal justice, or from the authority of the revenue officers, or of any other branch of the authority of the Honourable Company; and his Excellency the Rajah further agrees to deliver up all such persons, without delay, on application from such officer or officers as the Governor in Council of Fort St. George shall appoint for the purpose.

Treaty with Azeem-ul-Dowlah, Nabob of the Carnatic: 1801.

Article 11.—The entire defence of the Carnatic against foreign enemies, and the maintenance of the internal tranquillity and police of the country, having been hereby transferred to the British Government, his said Highness engages not to entertain or employ in his service any armed men, without the consent of the British Government, who will fix, in concert with his Highness, the number of armed men necessary to be retained for purposes of state. Such armed men as his Highness may, in consequence of this article, engage in his service, shall be paid at the exclusive cost and charge of the said Nabob.

Treaty with the Rajah of Cochin: 1809.

Article 7.—The Rajah of Cochin stipulates and agrees, that he will not admit any European foreigners into his service, without the concurrence of the English Company Bahauder, and that he will apprehend and deliver to the Company's Government all Europeans, of whatever description, who shall be found within the territories of the said rajah without regular passports from the English Government, it being the said rajah's determined resolution, not to suffer, even for a day, any European foreigners to remain within the territories now subjected to his authority, unless by consent of the said Company.

EXTRACT TREATIES CONCLUDED BY THE GOVERNMENT
OF BOMBAY.

Agreement with the Marattas: 14th September 1761.

Article 3.—That all Europeans and natives, either soldiers, seamen, or others, in His Britannic Majesty's or the honourable Company's pay, who may hereafter desert from Bombay, shall be immediately secured and returned to the nearest English settlement to such place where they may be apprehended, upon landing in any part of the Maratta country; the governor having promised all such a free pardon, and to pay any reasonable charges that may be incurred on the occasion. In like manner shall be delivered up all deserters, in the English pay, from Surat, on their being known, or immediately on receiving notice of them, within the Maratta limits, it not being in their power to speak more positively with respect to those of Surat, as the country thereabouts is open, and numbers go through it without being known. It is also agreed, that whatever people, Europeans of all nations excepted, who are in the service of Madanao, and may desert therefrom to the English, shall be delivered up on the same terms and conditions.

Agreement with the Shaikh of Bushire: 12th April 1763.

Article 3.—No European nation whatever is to be permitted to settle at Bushire, so long as the English continue a factory here.

Agreement with the Bouncello, concluded at the Fort at Barree: 7th April 1765.

Article 14.—The Bouncello will not entertain in his service any people belonging to the English, whether Europeans or others, nor suffer any European deserters to pass through his districts; but on the contrary, give strict orders to all his officers to seize such as may be seen in his dominions, and return them to the chief of Fort Augustus, on promise of pardon, whether they are applied for or not. The English will observe the same in respect to the subjects of the Bouncello, and slaves to be returned on both sides.

Agreement with the Rannie, at Fort Augustus, 12th January 1766.

Article 10.—Maha Rajah Jeejaboy, the Rannie, will not entertain in her service any people belonging to the English, whether Europeans or others; but, on the contrary, give strict orders to her officers, to seize such as may be seen in her dominions; nor suffer any European deserters to pass through her country, but return them to the resident of the English factory, on promise of pardon, whether they are applied for or not. The English will observe the same in respect to the subjects of the Rannie; and slaves to be returned on both sides.

Treaty with the Nabob of Baroach: 1771.

Article 4.—The Dutch have already a factory at Baroach; but, in future, no other European nation shall be permitted to settle a factory at Baroach, without the consent of the honourable the President and council.

Treaty with Ragobah: 1778.

Article 15.—Ragonath Row Badjerow Purdhan hereby engages and agrees, that no European settlements shall be allowed to be made on the maritime coasts, or in any other part of the Maratta dominions, without the consent of the Company, or of their representatives, being previously obtained; and that no manner of intercourse, or connection, shall be maintained between the Maratta Government and the French Nation; any failure, in which stipulation, will be considered as a breach of the alliance between the Maratta Government and the honourable Company.

Treaty with Anund Row Guicowar: 1805.

Article 9.—The Maha Rajah Anund Row Guicowar Sena Khas Kheyl Shumsheir Behauder hereby engages, that he will not entertain in his service any European or American, or any native of India, subject to the honourable Company, without the consent of the British Government; neither will the Company's Government entertain in their service any of the Guicowar servants, dependants, or slaves, contrary to the inclination of that state.

—No. 2.—

Extracts of the REPLIES of the Zillah Judges of *Bengal, Bahar, Orissa, and Benares*, to the Thirty-ninth QUERY of the Governor General in 1801, relative to the Conduct of *Europeans*, not in the Service of The East India Company, residing within their Jurisdictions.

The thirty-ninth QUESTION put to the Zillah Judges of BENGAL, BAHAR, ORISSA, and BENARES, by the Governor General in 1801; with the ANSWERS thereto.

QUESTION.—WHAT is the nature of the general conduct of the Europeans, not in the service of the Company, who reside within your jurisdiction?

A N S W E R S.

Magistrate of Jessore, Mr. *S. Middleton*: 30th November 1801.

They conduct themselves with the greatest propriety.

Magistrate of Midnapore, Mr. *H. Strachey*: 30th January 1802.

There are no Europeans out of the service constantly residing in this district. A few indigo manufacturers and cloth merchants have, or rather had considerable dealings in Midnapore, and occasionally come to look after their concerns. The cloth and indigo trade have very much fallen off within these few years.

Magistrate of Beerbhoom, Mr. *D. Campbell*: 25th March 1802.

There is at present but one European of this description in the district, and his conduct, to the best of my knowledge, has been in every respect uniformly correct and proper ever since he settled in this part of the country, now upwards of ten years.

Magistrate of Hooghly, Mr. *T. Brooke*: 3d May 1802.

With the conduct of Europeans residing in this district, not in the service of the Company, there is no reason whatever to find fault.

Magistrate of Nuddea, Mr. *C. Oldfield*: 16th January 1802.

It is peaceable, and generally correct.

Magistrate of Burdwan, Mr. *G. Thompson*: 9th March 1802.

I am happy to have it in my power to say, that it has been such as to meet with my approbation, correct, regular, and moral; and it is a justice I owe them to observe, that I have not known an instance of complaint against any of them since I have been at the station; now three years.

Magistrates of Fouzdarry Adawlut, of the 24 pergunnahs, Messrs. *Martyn, Blaquiere, Macklew, and Thoroton*: 1st July 1802.

The general conduct of the Europeans, not in the service of the Company, who reside within our jurisdiction, is correct, and very few instances have occurred of any complaint whatsoever having been preferred against them.

Magistrate of Backergunge, Mr. *Wintle*: 7th January 1802.

The general conduct of the Europeans, not in the service, residing in this district (who are very few) is decorous and proper; I seldom have any complaints against them.

Magistrate of Tipperah, Mr. *J. Elliot*: 23d April 1802.

The conduct of the Europeans in this zillah, not in the service of the Honourable Company, is in every respect satisfactory.

Magistrate of Sylhet, Mr. *Roberts*: 1st May 1802.

The Europeans in this district conduct themselves with the greatest propriety; and, generally speaking, the inhabitants are satisfied with the integrity of their dealings.

No. 2.

Replies of
Zillah Judges,
relative to
conduct of
resident
Europeans,
not in the
service of the
East India
Company.

Magistrate of Momensing, Mr. *J. Stracey*: 29th January 1802.

There are no Europeans in the district, out of the service, excepting one Frenchman, who carries on a trifling trade, and is a very quiet well-behaved man.

Magistrate of Chittagong, Mr. *Molony*: 27th March 1802.

They have conducted themselves heretofore, in general, with great propriety, and much to my satisfaction.

Magistrate of Dacca and Jelalpore, Mr. *J. Paterson*: 28th July 1802.

There are no Europeans, not in the service of the Company, in this district.

Magistrate of the City of Moorshedabad, Mr. *Sturt*: 17th March 1802.

With respect to the nature of the general conduct of the Europeans, not in the service of the Company, who reside within my jurisdiction, there are only two of the description alluded to, viz.—Mr. Holst, who has been permitted, with the sanction of Government, to continue in charge of the Dutch factory at Calcapore, and a Frenchman, also resident at Calcapore, whose sole occupation is that of a confectioner, and who is, I understand, a quiet sober character.

Magistrate of Rajshahy, Mr. *C. Græme*: 10th April 1802.

The Europeans, not in the Company's service, who reside within this jurisdiction, have, since I have been in the district (which is now four years and a half) behaved themselves in the most orderly and correct manner; so much so, that I do not recollect any complaint having ever been preferred against one of them.

Magistrate of Bhaugulpore, Mr. *J. Wintle*: 31st May 1802.

The general conduct of the Europeans, not in the service, residing in this district (who are but few) is decorous and proper; I seldom have any complaints against them.

Magistrate of Dinagepore, Mr. *Burges*: 15th January 1802.

The conduct of the few Europeans, not in the service, resident in this district, I have ever found to be peaceable and correct.

Magistrate of Purnea, Mr. *Thornhill*: 19th December 1801.

The Europeans residing in this district have, during my time, conducted themselves with propriety.

Magistrate of Zilla Moorshedabad, Mr. *J. Becher*: 31st December 1801.

The few Europeans, not in the honourable Company's service, residing in my district, behave with great propriety in all respects.

Magistrate of Rungpore, Mr. *J. Wordsworth*: 13th April 1802.

The conduct of the Europeans, not in the service of the Company, who reside within my jurisdiction, has ever been of the most exemplary nature; and to them have I been often indebted for important information; and the country, in a great measure, for its present improved and improving state of manufactures, cultivation and commerce.

Magistrate of Sarun, Mr. *Boddam*: 16th December 1801.

There are only three Europeans, not in the service of the Company, who reside in this district; but others go to Boggah, at the proper season, to purchase timbers. Mr. Blake has a considerable indigo work at Acberpoor; Mr. McEntie has one at Dironly, on the banks of the Dewa, but he principally trades in timbers; and Mr. Massyck has a small indigo work near to Mr. Blakes. I have never received a single complaint against either of these gentlemen; on the contrary, I have every reason to believe, that the inhabitants of that part of the country in which they reside, are perfectly satisfied with their conduct, and reap great benefit from the money expended by them in their manufactories.

Magistrate of Behar, Mr. *A. Tufton*: 9th December 1801.

I am most happy to bear testimony to the good conduct of the Europeans in this district. Two complaints only have been made against them within these last four years; and they arose, not from any dishonesty or oppressive conduct, but from that haste and want of consideration which Europeans, not conversant with the people, and strangers to the language, are sometimes apt to indulge in. The natives are, however, grown very impudent.

Magistrate of Shahabad, Mr. *G. Webb*, 11th December 1801.

The conduct of the Europeans, not in the service of the Company, who reside in this district, has been very correct.

Magistrate

Magistrate of Ramghur, Mr. *W. T. Smith*: 21st December 1801.
There are no Europeans of this description residing in this jurisdiction.

Magistrate of Tirhoot, Mr. *G. Arbuthnot*: 22d December 1801.

Having never had any serious charge preferred against any of the Europeans, not in the Company's service, who reside in this district, I naturally conclude, that they conduct themselves in a quiet and peaceable manner.

Magistrate of the City of Benares, Mr.

17th December 1801.

I never have heard any complaints on the subject.

Magistrate of Juanpore, Mr. *A. Willand*: 17th December 1801.

The conduct of Europeans, in this district, is mostly applied to the manufacture of indigo, and to concerns in the traffic of cloths. The encrease of the circulation of money in consequence, is of considerable benefit; but scarcely one among them has been successful in his speculations, and some appear to be suffering under severe privations and distresses.

Magistrate of Mirzapore, Mr. *R. Ahmuty*: 30th November 1801.

No complaint of a violent tendency has ever been brought forward against any of the Europeans who reside in this district, out of the service; and they have, on all occasions, conducted themselves with perfect humility, and the utmost deference to the rules and orders of Government.

Replies of
Zillah Judges,
relative to
conduct of
resident
Europeans,
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— No. 3. —

RETURN to the Order of the Honourable House of Commons, dated the 2d April 1813; requiring, "Copy of the fourth, fifth, ninth, tenth, eleventh, twelfth, thirteenth, nineteenth, and twenty-second Paragraphs of the REPORT on the External Commerce of India, dated the 28th December 1804."

RETURN to the Order of the Honourable House of Commons, dated the 2d April 1813; requiring, "Copy of the fourth, fifth, ninth, tenth, eleventh, twelfth, thirteenth, nineteenth, and twenty-second Paragraphs of the REPORT on the External Commerce of India, dated the 28th December 1804."

THE entire Reports of the External Commerce of Bengal, from 1795 to 1811, having already been presented to the House, the Extracts required by this Order will be found in the Volume containing these Reports.

Examiner's Office, }
East India House. }

—No. 4.—

Extract of the BENGAL Judicial Consultations in the Criminal Department of the 13th of July 1810; containing a Letter from the Justice of the Peace at Benares to the Secretary to the Government of Bengal, dated the 5th of May 1809, transmitting his Proceedings on certain Charges preferred by a NATIVE SUBJECT against Mr. JAMES TITCHBORNE, for an Assault and false Imprisonment; together with the Enclosures referred to in that Letter.

EXTRACT BENGAL JUDICIAL CONSULTATIONS,

the 13th July 1810.

(Criminal.)

No. 54. Justice of the Peace at Benares to George Dowdeswell, Esq. Secretary to Government, Fort William.

SIR,

I have the honour to inclose, for the information of the right honourable the governor general in council, all the proceedings held by me in English and Persian, on the charges preferred by Ram Gholam against Mr. James Tichborne, for an assault and false imprisonment; and in the full discharge of my duty, I have deemed it expedient to commit Mr. Tichborne to take his trial before the Supreme Court of Judicature, on the grounds of the depositions of the prosecutor and his witnesses.

I have the honour to be, &c.

Benares, }
5th May 1809. }

(Signed) W. T. Smith,
Justice of Peace.

No. 55.

The information and deposition of Ram Gholam, prosecutor, taken upon oath before W. T. Smith, Esq. one of His Majesty's Justices of the Peace in and for the city of Benares, the nineteenth day of April 1809; who, on his oath, saith; My name is Ram Gholam, my father's name is Munsa, I am of the cast of Aheer, I reside at Fardonee, in the district of Goruckpore, I am about 50 years of age, and have been in the employment of Mr. Tichborne from the commencement of the year 1803 until the period of my imprisonment by Mr. Tichborne, in the month of Assin 1808. In the month of September Mr. Tichborne complained against me to the magistrate of Goruckpore in the Foujdarry Adawlut, for the sum of 5,572 rupees, the price of timber. Mr. Ahmuty, the magistrate, consequently placed a chupprassy named Seta Ram, over me, who conveyed me to the Court, where I gave in a reply to the complaint, and I petitioned the Court to depute an aumeen to enquire into the nature of Mr. Tichborne's complaint against me; security being required from me by the Court, directed a chupprassy to proceed with Mr. Tichborne's mootsuddies and my own mootsuddies to enquire into the accounts, and bring them before the Court for examination, who would afterwards decide upon what was proper to be done. Mr. Tichborne beat Rugbunsee Loll, for not making out these accounts in the manner Mr. Tichborne wished, and the nephew of Rugbunsee Loll consequently preferred a complaint to the Judge of Goruckpore, who sent Emmaumbux to protect the mootsuddies, and to prevent their being beaten by Mr. Tichborne in future; after this, Mr. Tichborne confined me on board one of his boats, from the 22d September until the 24th December 1808; in consequence of this dispute about accounts, on the 24th of December I asked Mr. Tichborne why he confined me? when Mr. Tichborne answered, do you want your discharge? I would expend 2,000 rupees to take your life away. On the 22d September Mr. Ahmuty's chupprassies enquired of Mr. Tichborne where he was taking me to; and Mr. Tichborne replied, I am going to Ragepore, come along with me; to which the chupprassies replied they could not without orders from the Judge; afterwards Mr. Tichborne said to the chupprassies, I know nothing about the Court, you may return. The chupprassies went away, and reported this circumstance to the Judge, when Mr. Tichborne imprisoned me in his boat, and conveyed me to Ragepore; we arrived at Ragepore, where Mr. Tichborne had pitched a tent, and he took me out of the boat, caught me by the neck and kicked and beat me, and afterwards tied me by the hands to a bamboo, on which the sail of a boat was suspended, and he caught me by the mustaches, and pulled them violently; after having thus ill-treated me for three hours, he made me over to the custody of Caloah chupprassy, who re-conveyed me on board the boat; when we had left Ragepore, and proceeded two coss below the river, I was again taken out of the boat, and compelled to pull

pull the ghooone of the budgerow; one of Mr. Tichborne's boats sunk a little a-head, in consequence of which Mr. Tichborne came too for the night, when myself, Ajudiah Persaud, and Rugbunse Loll, were placed on board the sunken boat, and kept there under the custody of a chupprassy the whole of the night, up to our middles in water, without food. The next morning we proceeded to Bogalepore, and when we arrived, Mr. Tichborne again took me out of the boat, and beat me in the face; two or three days after this we went to Darowly, when Mr. Tichborne seized all my clothes, and beat me with a rope; from Darowly Mr. Tichborne went on without me, and left me and the other people with Mr. Robinson, who went to Decree Gunge; when I arrived at Revel Gunge, to which place Mr. Fergusson, the magistrate of Chupprah, had wrote to Mr. Tichborne, requiring my attendance; Mr. Tichborne consequently delivered me over to the custody of Mr. Fergusson's peons, who took me to Chupprah, where I was maintained at the expence of Government, and Mr. Fergusson took down my deposition, and sent me to Benares. Calloah chupprassy was placed over me, from our leaving Gorruckpore until our arrival at Darowly; and I was under the custody of Ram Sing chupprassy, from our leaving Darowly, until my arrival at Revel Gunge.

Chancee Lall and Bussunt Lall have absconded, in consequence of an order to do so, from Mr. Tichborne.

(Signed) *Ram Gholam,*

his mark.

Sworn the day and the year first above written, before me,

(Signed) *W. T. Smith,* Justice of the Peace.

The Examination of James Tichborne, taken before me, W. T. Smith, one of His Majesty's Justices of the Peace in and for the Province of Benares, the 20th of April 1809.

The said Examinant being duly interrogated, saith; I am not guilty of the charge laid against me.

(Signed) *Ja. Tichborne.*

Taken the day and year first above written, before me,

(Signed) *W. T. Smith,* Justice of the Peace.

The Information and Deposition of Sook Lall Sookul, 1st witness, taken upon oath, before W. T. Smith, Esq. one of His Majesty's Justices of the Peace in and for the City of Benares, the 19th day of April 1809; who on his oath saith; My name is Shook Lall Sookool, my father's name Doiney Sookool; I am of the cast of Brahmin; I reside at Jullalpore in the district of Mozufferpore; I am about 42 years of age, and I have been in the employment of Mr. Tichborne one year; I know Ram Gholam, he was in Mr. Tichborne's employment, but I do not know how long; in the month of September 1808, Mr. Tichborne complained against Ram Gholam, for the theft of 5,572 rupees in the Dewanny Adawlut; after which, Mr. Tichborne solicited the Judge of Gorruckpore to sell the effects of Ram Gholam to make good the loss he had sustained, or commit him to prison; the Judge replied, that without enquiry he could not give an order of such a nature, but after examining into the business, proper measures should be adopted; a chupprassy was accordingly sent to summons Ram Gholam, who attended the Court, and gave in his reply to the complaint, and petitioned the Court to depute an ameen to enquire into the number of timbers, and what were the price of them; and if, agreeably to the account, there was any balance in favour of Mr. Tichborne, he would pay it afterwards; Ram Gholam gave in his security into the Court, and Mr. Ahmuty, the Judge, directed Seta Ram to order the two mootsuddies to compare the accounts and to bring them to him, when instructions would be given, when it was ascertained what was right and proper. In the mean time, these accounts had been ready eight days, when Mr. Tichborne told Ram Gholam that his timber boats were going off, and that Ram Gholam must proceed with them. Ram Gholam replied; my complaint, respecting our accounts, is still pending before the Court, without any decision being passed; how can either you or I go away? and Seta Ram, chupprassy, also stated this circumstance to Mr. Tichborne; but Mr. Tichborne replied, that he knew nothing of the forms of the Court, and directed Seta Ram, chupprassy, to proceed with him to Ragepore; the chupprassy replied, that he could not, without orders from the Judge; when Mr. Tichborne told the chupprassy, he might go. The chupprassy went away accordingly; when Mr. Tichborne placed Ram Gholam on board his boat, and proceeded in the month of Cantick to Ragepore; when Mr. Tichborne arrived at Ragepore, he pitched a tent; at which place one of the mhullee, and another person, ran away; when Mr. Tichborne sent for Ram Gholam, and told him to procure the attendance of the mhullee, that had ran away; Ram Gholam replied, you have imprisoned me; how can I obtain the appearance of the mhullee; on which Mr. Tichborne kicked, and beat, and pulled him violently backwards and forwards, and tied him by his hands to a bamboo, and kept him in this state for six hours; when he placed him in the custody of Calloah and Ram Sing, chupprassies, who placed him again on board the boat. In the morning, the boat I was in proceeded on, and Mr. Tichborne and Ram Gholam remained behind; I consequently do not know what happened afterwards; but three days after this, I reached Boglepore, where Mr. Tichborne and Ram Gholam arrived; at this place, one of Mr. Tichborne's boats sunk;

No. 4.

Extract Bengal Judicial Cons in. Crim. Dep. 13 July 1810:— Assault upon a Native Subject by an European.

No. 56.

No. 57.

No. 4.
Extract Ben-
gal Judicial
Cons. in
Crim. Dep.
13 July
1810:—
Assault upon
a Native
Subject by
an European.

and Mr. Tichborne called Ram Gholam, and ordered him to change the boat, and get another; who replied, where am I to get another boat? when Mr. Tichborne beat him. After this I went to Chupprah, and know nothing more of the business.

QUESTION put to the Witness:

Was Ram Gholam ever placed under your custody?

What were the nature of the orders Mr. Tichborne gave you, when you were placed over Ram Gholam?

QUESTION put to the Witness by the Prisoner.

You are a chupprassy. How do you know any thing of this complaint for 5,572 rupees?

Yes; I was placed over Ram Gholam, at Mr. Tichborne's bungalow, at Gorruckpore, for three days.

He directed me to confine Ram Gholam, stating that he would neither settle his accounts with him, or pay him the balance for the timbers.

I went with yourself, Chunee Lall, and Bussant Lall, to the cutcherry, and you represented this to the Judge's moonshee, in my hearing.

(Signed) Sook Loll Sookool,

Sworn the day and year first above written, before me,
W. T. Smith, Justice of the Peace.

his mark.

No. 53.

The Information and Deposition of Kulloot, 2d Witness, taken upon oath, before W. T. Smith, Esquire, one of His Majesty's Justices of the Peace in and for the City of Benares, the 20th day of April 1809; who, on his oath saith; My name is Kulloot; my father's name, Doolum; I am of the cast of Aheer, an inhabitant of Gorruckpore, 22 years of age; I was four months and a half in the employment of Mr. Tichborne; when Mr. Tichborne was about to proceed to Ragepore, in the month of Cautic, he ordered Ram Gholam to proceed with him; Ram Gholam stated, that he had deposited his security with the Judge of Gorruckpore, and asked Mr. Tichborne why he wished to take him away; Mr. Tichborne replied, I shall not release you; I would expend 2,000 rupees to take your life away. Seta Ram, chupprassy, asked Mr. Tichborne what orders he had for him, if he went to Ragepore; and Mr. Tichborne desired the chupprassy to go with him to Ragepore. The chupprassy said he would go to the Judge, and if he got an order to that effect, he would proceed with Mr. Tichborne to Ragepore; when Mr. Tichborne replied, I do not know the business of the Judge, and the chupprassy returned to the huzzoor. Afterwards, Mr. Tichborne having confined Ram Gholam on board a boat, proceeded to Ragepore, where Mr. Tichborne had pitched a tent, and two days after, one of the mhullees of the boat ran away, and Mr. Tichborne ordered Ram Gholam to recover the mhullee, which Ram Gholam stated he could not do, as he was in confinement; when Mr. Tichborne knocked Ram Gholam down, tied both his hands, and pulled him by the whiskers, and threatened him with a stick he held in his hand; shortly after this, Mr. Tichborne left Ragepore, and had proceeded two coss, when he made Ram Gholam pull the ghoon of the boat. The ghoon broke, and Ram Gholam was placed in a dongee, and conveyed into the middle of the boat that was sunk; but not being able to raise the boat, Ram Gholam, Ajudeah Pershaud, and Bundoo Loll, were made over to the custody of Kable Khan and myself. The next morning we left the place, and when we arrived at Boglepore, another boat of Mr. Tichborne's sunk, in consequence of which Mr. Tichborne sent for Ram Gholam, and beat him with his fist, insisting that the boat had sunk from his connivance. Ram Gholam was then made over to a sepoy of Mr. Tichborne's, who was ordered to convey and confine him in the tannah. The tannadar refused to receive charge of Ram Gholam. Chunny Loll Mutsuddy went after this to the tannah and brought Ram Gholam away, and replaced him in Mr. Tichborne's boat. When we arrived at Darowley, Mr. Tichborne seized all the papers and accounts of Ram Gholam, Rugbunee Loll, Chunee Loll, and Bussant Loll, and beat Gholam and Rugbunee Loll with a rope. Mr. Robinson sent me after this to Chupprah, and I do not know more of the business. When I went to Chupprah, Ram Gholam was in the custody of Ram Sing.

(Signed) Kulloot,

Sworn the day and the year first above written, before me,

(Signed) W. T. Smith, Justice of the Peace.

his mark.

No. 59.

The Information and Deposition of Bitchook, 3d Witness, taken upon oath, before W. T. Smith, Esquire, one of His Majesty's Justices of the Peace in and for the City of Benares, the 20th day of April 1809; who, on his oath saith; My name is Bitchook; my father's name, Dolah; I am of the cast of Aheer, inhabitant of Ferdancee, in the district of Gorruckpore, 28 years of age, and I have been in the employment of Mr. Tichborne four years, as a bullock-driver; another servant, named Munnoah, who was also a bullock-driver in the employment of Mr. Tichborne, went to Mr. Tichborne at Gorruckpore, in the month of

of Cautic, to get mine and his own wages, who obtained his wages and returned to Fadance, and stated, that Mr. Tichborne had imprisoned and beat Ram Gholam and Rugbunee Loll, moetsuddies, and told me, Mr. Tichborne would not send me my wages, and that I had better go to Gorruckpore for my wages myself. After this Munnoah collected his clothes, &c. and non * away for the service of Mr. Tichborne, and of this circumstance I went to Gorruckpore to apprise Mr. Tichborne and to get my wages; but Mr. Tichborne observed, that he could not give me my wages, as Ram Gholam and Rugbunee Loll had gone to Ragepore. After this, Mr. Tichborne went to Ragepore, and Lollgraim and myself followed him in two days. There was a balance of wages of 34 rupees due to me from Mr. Tichborne, of which he only paid me five rupees; when at Ragepore, I saw Mr. Tichborne beat Ram Gholam, tie his hands to a bamboo, and threaten him with a stick. He kept Ram Gholam in this situation for three hours, and then released him. In the morning, I went to Boglepore, where I heard, that in consequence of one of Mr. Tichborne's boats having sunk he had beaten Ram Gholam; I also heard, that a boat of Mr. Tichborne's had sunk at another place, and that Mr. Tichborne had placed Ram Gholam in a dongee, and had him conveyed into the sunken boat, and I saw Mr. Tichborne beat Ram Gholam with a rope at Darowlee. After this, I went to another place with Sereekishen, and know nothing more of the business.

(Signed)

Bitchook,

Sworn the day and the year first above written, before me,

(Signed)

W. T. Smith, Justice of the Peace.

his mark.

— No. 5. —

Extract of the BENGAL Judicial Consultations in the Criminal Department of the 20th of July 1810; containing an Abstract of the Cases of Mr. J. L. Turner, R. S. Douglas, T. Gardner, and T. Clarke, Persons accused or tried for serious Offences, committed in the interior of the Country; also, of the Case of Mr. Titchborne, accused of similar Offences; together with the Depositions, &c. referred to in the said Abstract, and Copy of the Proceedings of the Governor General thereon.

EXTRACT BENGAL JUDICIAL CONSULTATIONS,

the 20th July 1810.

(Criminal.)

THE Secretary submits the following Abstract (together with the Depositions on which it is founded) of the cases of the different persons who are stated in the foregoing letters to have been accused of or tried for serious offences, committed in the interior of the country; together with that of Mr. Tichburn, who has been some time in confinement for similar offences. The case of that person is recorded at large on the Judicial Proceedings of the 13th instant.

A B S T R A C T.

Mr. J. L. TURNER, Zillah Tirhoot.

Mr. Turner was indicted for murder. The Depositions state, That Mr. Turner having sent peons to seize and bring the deceased and other ryots before him, and having inquired why they had not sown indigo, according to their engagements, Mr. Turner's dewan alleged that the deceased would not sow, unless he were punished. On this, Mr. Turner struck the deceased several times with his fists and kicked him, and then ordered him and two other ryots into the stocks for the night, during which the deceased died. The place where the stocks stood was infested with snakes, and the Jury appear to have given credit to the evidence brought forward to prove that the deceased was bitten by a snake, and died in consequence. They acquitted Mr. Turner accordingly.

No. 4.

Mr.

No. 5.

Further Ex-
tracts from
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cial Cons.
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Offences
committed
in the inte-
rior of the
Country.

Mr. R. S. DOUGLAS, Zillah Sarun.

Mr. Douglas was charged as an accessory before the fact, in the crime of arson, and in a violent outrage committed at the premises of Mr. Moran; he was further charged with being an accessory after the fact, in having received, harboured and maintained the said natives, knowing the crimes in question to have been committed by them. The remote cause of the outrage seems to have been an attempt made by Mr. Moran to establish indigo works and a haut, in a place which interfered with indigo works before established by Mr. Douglas, and with a haut established by a zemindar connected with Mr. Douglas. The immediate and ostensible cause of the outrage committed, was an attempt on the part of Mr. Douglas and the native landholders, to prevent the people of Mr. Moran from taking water or cutting reeds for building the new factory from a nullah which adjoined Mr. Moran's ground, but was claimed as the property of the native. In the prosecution of this intention, armed men (among whom were the native prisoners who were servants of Mr. Douglas) were sent to enforce the prohibition, and an affray took place between the parties, which ended with a few blows on each side; but a few days afterwards Mr. Douglas's party having been reinforced by a number of armed men, proceeded to Mr. Moran's premises, severely beat his assistant, Mr. Clark, destroyed every thing moveable, and burnt the huts, containing grain, &c. The Jury found the natives guilty; and as to Mr. Douglas, their verdict of guilty, as accessory before the fact, being coupled with the expression of a doubt, that the natives had exceeded his directions, the Judge refused to receive the verdict; and the Jury, after an hour's deliberation, brought in a verdict of guilty, as accessory after the fact, in having harboured and maintained the others, knowing them to have been guilty of the crimes committed. Sentence, a fine of 1,000 rupees, and 12 months imprisonment.

Mr. GARDINER, Zillah Nuddeah.

Mr. Gardiner was charged with the murder of a clahsy in his service. The deceased was employed in superintending the ryots in sowing indigo. It would appear that his master was not satisfied with his activity, and had him and another seized and brought before him, and punished by stripes with a rattan, partly inflicted by Mr. Gardiner, with his own hand; after this, he ordered chillies and salt to be applied to the wounded parts, but salt only was used. The deceased received about 15 or 20 strokes of the rattan on the posteriors and back, after which both of the clahsees were sent to another factory. It does not appear that they were confined; but they both declared their intention of quitting Mr. Gardiner's employment. The day after the beating, the deceased was seized by a vomiting and bowel complaint, and continued, during that and the succeeding day, so ill as to be able to take very little nourishment from his relations, who attended him, and drinking only water to assuage a violent thirst, of which he complained. He died towards the latter part of the third night after the day on which he was flogged. The grand jury threw out the bill.

Mr. T. CLARK, Zillah Purneah.

No. 4.

Mr. Clark was charged with the murder of a ryot. The depositions state, that the deceased had been sent for, to receive advances for the cultivation of indigo; but, in consequence of his stating that he had no bullocks, and therefore could not take advances, nor cultivate to the extent required, Mr. Clark's sircar insisted upon taking a pair of bullocks, at 10 rupees; but the deceased refused to allow more than 8 rupees. His refusal being notified to Mr. Clark, he came and struck the deceased several times with his fists, and kicked him; after which the deceased walked home, having previously received an advance of 4 rupees, and the 2 bullocks at the adjusted price of 9 rupees, which he gave in charge to one of his neighbours, to drive home. The deceased died the next morning in consequence, as the depositions state, of the beating. Verdict, man-slaughter; sentence, a fine of 400 rupees, and 12 months imprisonment.

Mr. TICHBURNE, Zillah Goruckpore.

Mr. Tichburne was accused of the murder of a gomastah, employed in the timber trade. It appears that Mr. Tichburne sent to the deceased, requiring his presence for the adjustment of his accounts; but the hircarrahs sent to bring him returned with information, that the deceased was ill, and unable to come. On this, Mr. Tichburne suspecting collusion, flogged the hircarrahs; and taking them tied in his boat to Goruckpore, sent them again to enforce the attendance of the deceased, who being very ill and weak, was conveyed to Mr. Tichburne in a dooly; when Mr. Tichburne placed him in confinement in an out-house, stated to be a bathing-place, and necessary. Here he remained for 14 days without any food or nourishment, except a little sherbet; stating, that he could not eat food in a necessary, but that if removed to a Hindoo house, he would eat. The deceased at length died. The jury found Mr. Tichburne guilty of manslaughter; and he was sentenced to pay a fine of 400 rupees, and to be imprisoned for 12 months.

Mr. Tichburne was again indicted at the following sessions, for a most aggravated assault and imprisonment of Ramduloll, another of his gomastahs. In this case it appeared, that Mr. Tichburne had some trifling dispute with Ramduloll, respecting advances on account of the wages of his woodcutters; in consequence of which Ramduloll was first beaten by his employer, and then had a complaint laid against him, before the magistrate, for withholding advances

advances to the amount of 5,000 rupees. The magistrate directed an adjustment of the accounts by two mutsuddies, who found a balance due from Mr. Tichburne of 3,000 rupees; when Mr. Tichburne, instead of adhering to this adjustment, carried Ramduloll on board his boat, and proceeded down the river; and during several months, Ramduloll was imprisoned in the boats, repeatedly flogged, pulled by the beard, and compelled to pull the ropes of the boat. Mr. Tichburne was found guilty, and sentenced to a fine of 100 rupees, and imprisonment for 12 months.

(A true abstract.)

(Signed)

G. Dowdeswell, Sec^y to Gov^t:

No. 5.
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tracts from
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cial Cons.
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in the inte-
rior of the
Country.

DEPOSITIONS in the case of JOHN LATHBURY TURNER.

No. 5.

THE Information and Deposition of Fawruckul Roy, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the Town of Calcutta, at Fort William in Bengal, the seventeenth day of November 1809; who, on his oath saith; I am a native of Mouzah Koorjena, in pergunnah Bhoosaree, in the province of Behar; and the son of Mootty Roy, the malick or owner of the Mouzah Khoorjennah. On a Sunday morning, some time in the month of Assaur last, Bhobany Roy, Mosabeb Merdha, and Bhicrary Roy, peons belonging to Mr. John Lathbury Turner, came to my village, and seized my father, Motty Roy, and carried him to the indigo factory of their master at Suvoonny, in Baliah pergunnah, in the same province, at the distance of seven coss; I did not accompany my father to the factory. Early on the following morning, Roop Sing and Ramdial Roy came to my house, and informed me that my father, Motty Roy, was dead; upon hearing this news, I, Sobha Roy, Jebon Roy, Chironjee Roy, and Soobron Roy, proceeded to the factory, and arrived there on the same morning; we there saw the corpse of my father laying on the ground in an open place. Rutton Laul, a chuprassy belonging to the thannah, was making enquiry, and he desired me to point out to him any marks of beating or violence on the body; whereupon I took off the cloth with which the corpse was covered, and shewed to the chuprassy the marks of a blow on the right cheek, and another on the left; I observed another mark, as if caused by a kick, on the navel, which I also pointed out to the chuprassy; I then observed another mark behind the right thigh, as if occasioned by another kick. These last marks appear to have been done with boots or shoes, from the impression of violence on the body. The blows on the face appeared to have been done with fists; all those marks had become blue. I then put the corpse on a bamboo tatty, and with the assistance of the persons who accompanied me, took the corpse to the thannah. In the way, we met the thannahdar coming towards the factory, in order to make further enquiry; I requested of him to do so, and suffer us to burn the corpse. The thannahdar desired me to take the corpse back to the factory, where he would make the necessary enquiry, and then let us burn it. As we had become faint through fatigue, and unable to proceed further, the tannadar left one of his chuprassies with us, who took care of us, and procured us some nourishment in a village, where he kept us until the next morning. On the following morning, we reached the factory with the corpse. The thannadar sent one of his chuprassies for Choyton Roy, Ojet Roy, and Dhumram Roy, the malicks or owners of the village, and interrogated them as to the murder. The malicks said, there are no dosauds or chowkeedars in the village that can give any account respecting the murder; but they stated to the thannadar, in my presence, that they had been informed by Sitta Matto, Chamon Roy, Runjet Sing, that Motty Roy had been taken to the factory by some peons, and while he was there, the dewah, named Nowrougheelaul, represented to Mr. Turner that Motty Roy was a great hurramzaddah, and unless he was punished, he will not sow indigo; whereupon Mr. Turner beat Motty Roy with his fist, and he kicked him; and then Mr. Turner ordered him to be put into the stocks, which was accordingly done by Bhobany Roy, Mr. Turner's peon; where Motty Roy, in a paha, expired. After the thannadar had closed his investigation, I requested of him to suffer me to have the corpse burnt, which was accordingly granted, and he allowed a chuprassey to go with us. We took the corpse to the bank of the river, and burnt it according to our customs. After the corpse had been burnt, I requested of the thannadar to send his report to the hazoor or presence. He seemed to delay this very much, and threw obstacles in the way, by telling me to bring witnesses. On the fifth day the thannadar went away without making any report to the presence. On the same day, Mr. Turner offered to my younger brother, named Amrow, two hundred rupees to make a sraud in commemoration of my deceased father. He further offered to return a bond of six rupees, which sum my father had received from him in advance for indigo; and likewise the agreement, which my father had entered into with him. This proposal was also made to my brother, by Nowroughee Loll, and Daby Persaud Malick. My brother, in order to obtain his liberty, as he had been ever since detained in the Factory, accepted of the two hundred rupees, and took the bond and agreement, which were put into his hand by Nowrughee Laul, Mr. Turner's dewan. At this time there were present, Ramdial Roy, Sobhaub Roy, and Soobron Roy; this was done in a godown. Having obtained our liberty, we went to our houses, and there I performed the sraud, and then proceeded to Moozopherpore, and made a complaint against Mr. Turner, Nowroughee Laul, and the three peons who had seized and carried away my father. The magistrate heard my complaint, and my witnesses; the three peons did not attend before the magistrate, but Mr. Turner and Nowruoghee Laul attended. As the magistrate delayed the investigation very long, and as I saw no probability of its being soon brought

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rior of the
Country.

to an issue, I presented a petition to the Court of Appeal, whereupon the proceedings held before the magistrate were sent for, and after a perusal of the whole, we were directed to be sent down to Calcutta.

The mark of

Sworn this day and year before written, before me,

(Signed) C. F. Martin, Magistrate.

✕
Fawcull Roy.

(A true copy.)

(Signed) A. H. Smith, Head Clerk.

No. 6.

The Information and Deposition of Ramdial Roy, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the Town of Calcutta, at Fort William in Bengal, the 17th day of November 1809; who, on his oath, saith; I am a native of Boosaree in Sooba Bahaur, a farmer, and of the Bramin cast. On the 12th or 13th of Assaur last, answering to the 24th or 25th of June, on a Sunday early in the morning, Bhubany Roy Hircara, Mosahib Merdha Hircara, and Bhecrary Roy, zilladaur (a person that superintends the sowing of indigo seed) belonging to Mr. Turner, the prisoner here present, came and seized me, and conducted me to the indigo factory of Mr. Turner, situated at Soonnee, in the province of Behar. Those persons also seized Motty Roy and Roop Sing, and they were conducted to the aforesaid factory. When we reached the factory, one pahor, or three hours English, of the day was remaining, and Mr. Turner came home about the time we reached the factory; he was in boots, and after dusting them, he went into the house. We were taken near the house, and Mr. Turner asked Nowronghee Laul, who is his dewan, if Tilluck Roy was come? Nowronghee Laul said no: but Motty Roy is brought. Mr. Turner seeing him, asked the reason of his not sowing indigo: Motty Roy answered, "Khodabund; I have sowed three times, but the soil being moist, the whole has not come up; if you will give me more seed, I will sow again." Whereupon, Nowronghee Laul said to Mr. Turner, "Sir, he is a great kur-ramzadah, and unless you punish him he will not sow the seed." Mr. Turner then repeated again what he had expressed before to Motty Roy, and received nearly the same answer as before. Mr. Turner, who was at this time at the distance of about two paces from the deceased, went up to him and gave him four blows with his clenched fists about the cheeks; then immediately gave the deceased two kicks with his foot, one of which struck on the hind part of his right thigh, and the other kick or blow struck him on the belly below the navel; Mr. Turner after this, gave the deceased a slap on the face, which knocked his turban on one side; Mr. Turner then laid hold of him by the throat and pushed him away, and ordered him to be put into the stocks; whereupon Bhubany Roy Hircara took Motty Roy, Roop Sing, and me, near the vat-house, where Bhubany and Peary Laul brought the stocks there, and were proceeding to put our legs into it, when I requested of them not to put Motty Roy into the stocks, as he had been beat. They abused me, and said, if Mr. Turner had heard my words he would take the skin off my back. I saw that the stocks were covered with ants; I told them that the ants would torment us to death; upon which they brushed the stocks, and put our legs into it. Motty Roy was put in the middle; I and Roop Sing on each side of him. When we were put into the stocks, half a pahur, or about an hour and a half of the day was remaining. At half a pahur of the night, Motty Roy complained of a great pain in his belly, pointing to his navel, and he seemed to be so from his movements; whereupon I cried for people to come to the place of our confinement, when I requested him to take Motty Roy out of the stocks; he said he could not do so, without the gentleman's order, meaning Mr. Turner. Ouddon called out to Purlaud, another chokeydar; he came to the place, and remained there; Ouddon then called out for Peary Laul. Peary Laul came, and opened the stocks, which was fastened with a padlock and key, and released us. I and Roop Sing helped to lift up the deceased; he could neither walk or stand: we laid him on the ground; he never uttered a word afterwards, but continued to keep his hands upon his belly. While the deceased lay in this situation, a mussulman, whose name I don't know, came to the spot and gave out, that the deceased had been bitten by a snake, and he began to mutter something to remove the poison. While we continued in the stocks, and after we were released, I saw no snake approach us, nor did the deceased complain of having been bit by one; all I observed was, a swelling from the right wrist to the end of the fingers; at one pahor in the night, Motty Roy expired, at the place where we had laid him down. Joud-dowal how Kedar and Roop Sing remained by the corpse the whole night. In the following morning Roop Sing went away; at noon on that day, two chuprassees of the krannah came into the factory and examined the corpse; one of them went away, and the other remained by it. In the afternoon of the same day, Omrow Roy, one of the sons of the deceased, and Domon Roy, Sahaub Roy, Dhooroo Roy, Roop Sing Roy, Poloute Moheto, Tobocole Roy, and Chironjee Roy, relations of the deceased, came to the factory and wished to take away the corpse; the thannadar's chuprassy said, that he could not let it be removed until the thannadar had taken a view of the body. As the corpse was getting putrid, the chuprassy at last consented to its being taken away; we accordingly put the corpse on a bamboo tatty, and was taking it towards the thannah, when we met the thannadar in the way; Omroo, the deceased's son, made his complaint to the thannadar. The thannadar desired us to return back to the factory, as he was proceeding thither to make enquiry; Omroo represented to the thannadar, that the corpse was getting putrid, and heavy; and besides, every one that accompanied the corpse was much fatigued and exhausted. The night advancing, the chuprassy

chuprassy took us to a village, where we laid the corpse and rested a little; one pahor of the night remaining, we proceeded back with the corpse to the factory, and saw the thannadar there. The thannadar, after he had made his enquiry, ordered the corpse to be burnt. In the afternoon Omroo went to burn the corpse; I and Girdhary were detained at the factory; Tawacul was not then present; he went away before the thannadar came to the factory. Omroo came back into the factory, after having burnt his father's corpse. About five or six days after, Nowronghee Laul, the dewan, requested of Girdhary, uncle of the deceased, and Omroo the son, to give a razunama, or release, to the gentleman, meaning the prisoner. After this conversation had passed, Nowronghee Laul, Daby Persaud, and Bany Roy went into Mr. Turner's bungalow; Girdhary and Omroo followed, but remained on the outside of the bungalow; shortly after, Bany Roy and the other two persons came out; Bany Roy went up to the place where Omroo and Girdhary were, with two hundred rupees in his cloth, while the other two persons remained within the bungalow. Bany Roy counted out the money in my presence, and gave it to Omroo; Omroo took the money and gave it to me, and I afterwards returned it to him; we then proceeded to our respective houses. I cannot say, whether Towacul, the prosecutor, partook of any part of these two hundred rupees.

The mark of
X
Ramdial Roy.

Sworn the day and year before written, before me,
(Signed) *Chas. F. Martyn*, Magistrate.

(A true copy.)
(Signed) *A. H. Smith*, Head Clerk.

The Information and Deposition of Samuel Dugdile, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the Town of Calcutta, at Fort William in Bengal, the seventeenth day of November 1809; who, on his oath, saith; I am fourth officer on board the honourable Company's ship the Retreat; I have known Mr. John Lathbury Turner, the person now present, from his infancy; we were at school together at Exeter, in Devonshire; he is a native of that place, as well as myself, and our parents reside in that city.

(Signed) *Samuel Dugdile.*

Sworn the day and year first above written, before me,
(Signed) *Charles F. Martyn*, Magistrate.

(A true copy.)
(Signed) *A. H. Smith*, Head Clerk.

The Information and Deposition of Seeta Mahotto, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the Town of Calcutta, at Fort William in Bengal, the seventeenth day of November 1809; who, on his oath, saith; I am a peasant, and cultivate indigo, rice, &c. and reside at Munjhour, in pergunnah Bhoosaree, in Zillah Tirhoot. On the 13th Assaur, corresponding to the 25th June last, while I was at the factory of Mr. Turner, at Soosnee Gau in Tirhoot, making a bargain with his jamadar poorun for renting a field of mangoe trees, a burkundage came and took the deceased Motty Roy, together with Ramdial and another person, who were standing near to where I was, and carried them to Mr. Turner's bungalow. I was standing about seven paces distant, and could hear Mr. Turner say to them, "why did you not sow the indigo," Motty Roy answered, he had sown, but that the seed had not come up; Mr. Turner said, "you are only spoiling my seed," and immediately struck him two blows with his clenched fist upon the cheeks, upon which Motty Roy stooped, and his turban fell off. I did not see any other blows given; Mr. Turner then ordered the burkundage to take Motty Roy, Ramdial, and the third person to the vat-house, which is about the distance of 2 biggahs or 100 yards. I did not hear Mr. Turner give any order to put them into the stocks, and I did not go to the vat-house, and do not know what happened there. They were sent to the vat-house about 24 minutes before sun-set, and about 1 pahor, or 3 hours after sun-set, an alarm was given by the people of the vat-house, that Motty Roy had been bitten by a snake, and heard the noise from Poorun's house, which is about 100 yards distant; I went to cook my victuals there on account of night coming on, my house being about 3 coss, or six miles, distant; I saw the corpse of Motty Roy next morning, covered up with a sheet, lying outside of the vat-house, but I did not examine it, and do not know whether there were any marks on it, or not; I went home on the morning that I saw the corpse of Motty Roy, and know not whether Mr. Turner gave any money to any person, or not; and I know nothing further.

The mark of
X
Seeta Mahotto.

Sworn the day and year first above written, before me,
(Signed) *Charles F. Martyn*, Magistrate.

(A true copy.)
(Signed) *A. H. Smith*, Head Clerk.

The Information and Deposition of George Phillott, Esq. taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the Town of Calcutta,

No. 5.
Further Ex-
tracts from
Bengal Judi-
cial Cons.
20 July
1810:—
Offences
committed
in the inte-
rior of the
Country.

Calcutta, at Fort William in Bengal, the fifteenth day of May 1810, when on his oath, saith; I am an assistant surgeon in the service of the honourable the United Company of Merchants trading to the East Indies; I am a relation of Mr. John Lathbury Turner, and have known him for a long time; he was lately a superintendent of some indigo works belonging to Mr. John Kelso, in Tirhoot. Mr. Turner is an Englishman, and from Exeter, in the County of Devon.

(Signed) *George Phillott.*

Sworn the day and year first above written, before me,

(Signed) *Charles F. Martyn, Magistrate.*

(A true copy.)

(Signed) *A. H. Smith, Head Clerk.*

No. 10.

The Information and Deposition of Roop Sing, taken upon oath before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the Town of Calcutta, at Fort William in Bengal, the thirtieth day of May 1810, who, on his oath, saith; I am a cultivator, and an inhabitant of Hoorjinna in Zillah Tirhoot, in the province of Behar; I knew Motty Roy, he is now dead; he was malik (proprietor) of village Moozuomabad, and I am malik of village Gunnespoor, which is adjoining the above Zillah Tirhoot. On Saturday about the twelfth or thirteenth of last Aussaur (June) two peons, Bhobany Roy and Mosaheb, and one Zillahda named Bhilkdhary, came from Mr. Turner, who is now in imprisonment, to Mouzomabad, staid there that night, and in the morning following seized Motty Roy, and Ramdyal Roy, and me, and took us all three to Mr. Turner's indigo factory at Sossownee, which is six coss distant from Gunnespoor. When above one pahor of the day was remaining, Mr. Turner returned to the factory; whereupon the aforesaid peons, and Zilladar, took us before Mr. Turner. He asked Nowranghee Laul, his dewan, who was present also, whether Tilluk Roy, malik of Dhurmpore, had come; Nowranghee Laul said he was not; but that Motty Roy, the malik of Mouzomabad, meaning the deceased, was come, and pointed Motty Roy out to Mr. Turner; whereupon Mr. Turner asked Motty Roy, whether he had sowed indigo seed or not? Motty Roy replied, that he had sowed twice, that a part had come up, and requested to be furnished with seed for the remainder of his lands; upon this, Nowranghee Laul said to Mr. Turner, that Motty Roy, the deceased, was a "lewrra haramzada," and told Mr. Turner to punish him; whereupon Mr. Turner struck him four blows with his fist, two on each side of his cheek, and also struck him a slap, and gave him two kicks, one about his navel, and the other on his right thigh. He then shoved him down from the room, which was about waist high from the ground. Mr. Turner then ordered all of us three to be put into the stocks, and we were all accordingly put in the stocks, near an indigo vat; Motty Roy was brought to the stocks, held up by Mr. Turner's peons; and no sooner he reached the place, than he fell down, and remained so from the pain in his belly, occasioned by the kick he had received. He applied his hand to his belly, and appeared restless from pain. When it was about half a pahor of the night, Motty Roy addressed me, and said, "I shall not live; disengage me from the stocks, the pain of my belly is excessive." Upon this, I asked Oodun Chokedar, who was placed to watch us, and told him that Motty Roy was in great pain, and requested that he might be set free. A short time after this, we were all three let out of the stocks, at which time Motty Roy was on the point of expiring, and a mussulman, whose name I do not know, and who belonged to the factory, said that Motty Roy was bit by a snake, and directed that he might be brought to him, and that he would use some spells to cure him; spells were used over Motty Roy, but all in vain; Motty Roy died. When Motty Roy desired me to disengage him from the stocks, I asked him what pain he felt, and whereabouts the pain was situated; and, as the place was much infested with snakes, whether he was bit by a snake; he said, he was not; but that the pain in his belly was all that ailed him.

The mark of

✕

Roop Sing.

Sworn the day and year first written, before me,

(Signed) *C. F. Martyn, Magistrate.*

(A true copy)

(Signed) *A. H. Smith, Head Clerk.*

No. 11.

The Information and Deposition of Rungit Sing, taken, upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, in Fort William, in Bengal, the thirteenth day of May 1810; who, on his oath, saith; I am a native of Munjhowl, in pergunnah Bhoosaree, in Behar. I knew Motty Roy; he is now dead. On a Sunday, in the month of Assaur last (June) I went to Mr. Turner's factory, which is in Sossowny, in Zillah Tirhoot, about three coss from my village, for the restoration of a calf belonging to me, which was detained in the factory. The jemaddar of the factory, Poorun Sing, told me, that the calf would be restored to me the next day, and I was accordingly coming away; when, in my way back, I saw Roop Sing, who is now here present, and Motty Roy, the deceased, and Ramdyal Roy, who is also here, all three in the stocks, in Mr. Turner's factory. I did not speak to them a word, but went my way. I came to the jemaddar, Poorun Sing's lodging, where, at about one pahor of the night, some servants belonging to the indigo factory came and said, that Motty Roy had been

been bit by a snake. I went to see Motty Roy, and others went also; when I came to the spot, I saw Motty Roy expiring. Ramdyal Roy was supporting him on his breast; and a mussulman, whom I do not know, repeated some spells and prayers; but he did not live. I did not examine the body. Roop Sing, one of the three that were in the stocks, said, at the time, "he has been murdered;" (mar dala hey).

Sworn the day and year first above written, before me,

(Signed) *Cha. F. Martyn*, Magistrate.

The mark of

X

Runjit Sing.

(A true copy.)

(Signed) *A. H. Smith*, Head Clerk.

No. 5.
Further Ex-
tracts from
Bengal Judi-
cial Cons.
20 July
1810:—
Offences
committed
in the inte-
rior of the
Country.

The Information and Deposition of Chhamun Mahots, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the thirtieth day of May 1810; who, on his oath, saith; I am a native of Munjhowl, in Zillah Tirhoot, in the province of Behar. On a Sunday, in the last Aussaur (English date, June) whereabout twelve or thirteen days in the month had passed, I went to Mr. Turner's factory in Soosawnee, in Zillah Tarhoot, in Behar, for the purpose of effecting a settlement in respect of mangoes, which grew in my village, and of which Mr. Turner was thircadar. I continued there for some time after my business was over. Bhubany Sing and Beckdarry Sing, two peons in the service of Mr. Turner, brought Motty Roy, the deceased, Roop Sing and Ramdyal Roy, to Mr. Turner; when about half a pahor of the day was remaining, Mr. Turner asked Motty Roy, why he did not sow indigo? Motty Roy replied, that he had sowed indigo, but that it had not come up; and requested to be furnished with indigo seed again. Bhikdharry said to Mr. Turner, that Motty Roy was a "dagabaz" rogue; and that if he were not punished, he would not plant indigo. Whereupon Mr. Turner struck Motty Roy two blows with his fist, which he parried with his hand. Mr. Turner then struck him four blows, two on each side of the cheek; and gave him two kicks with his boots, one on his right hip, and one on the belly. Motty Roy fell down; whereupon Mr. Turner ordered, that he should be put into the stocks; and Bheckdarry and Bhubany Sing, took him away to put him into the stocks. About a ghunee after this, when I was going to Poorun Sing, the jamadar's lodging, I saw Roopsing Ramdyal, and Motty Roy the deceased, in the stocks. At about one pahor of the night, while I was in the lodgings of Poorun Sing, jamadar, I heard that Motty Roy had died from the bite of a snake. I did not go out till the next morning, when I saw the dead body in Mr. Turner's factory, laying covered with a cloth. I did not examine the body.

Sworn the day and year before written, before me,

(Signed) *Cha. F. Martyn*, Magistrate.

The mark of

X

Chhamun Mahots.

(A true copy.)

(Signed) *A. H. Smith*, Head Clerk.

The examination of John Lathbury Turner, taken before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, and factory of Fort William in Bengal, the eighteenth day of November 1809.

The said examinant, being charged on the oaths of Towakul Roy and Ramdial Roy, with the wilful murder of Motty Roy, late of Mouzah Hoorjennah, in the province of Behar: and the said examinant, being duly interrogated, says, I am not guilty of the above stated charge.

(Signed) *John Lathbury Turner.*

Taken, the day and year above written, before me,

(Signed) *Cha. F. Martyn*, Magistrate.

(A true copy.)

(Signed) *A. H. Smith*, Head Clerk.

No. 13.

DEPOSITIONS in the Case of Mr. DOUGLAS.

THE Information and Deposition of Thomas Clark, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the fourth day of December 1809; who, on his oath, saith; I was employed by Mr. Mathew Moran in April 1808, to go and erect a set of indigo works at Mootiharry, in the district of Chupra, on ground belonging to Mr. Moran, which was purchased by him, and the sale sanctioned by the Board of Revenue. I arrived at Mooteharry on the 2d May 1808, and was daily prevented by a number of people, said to belong to Mr. Douglas and Motrum Khawn, from taking water from the nulla. In consequence of which, I waited upon Mr. Douglas; who told me, that he did not prevent me from taking water, but that Motrain Khawn would prevent Mr. Moran's people from taking any water, as they had no right to it; and that he,

No. 14.

No. 5.
Further Ex-
tracts from
Bengal Judi-
cial Cons.
20 July
1810:—
Offences
committed
in the inte-
rior of the
Country.

Mr. Douglas, had sent him one hundred hircarrahs, and would send him four or five hundred more, for the purpose of preventing them from taking water; observing to me at the same time, that he thought I and my family were in great danger by residing there. That in case of any violent affray happening, in which any lives were lost, and which he thought very likely would be the case, that I would be sent out of the country, and then he would provide for my wife and family. Mr. Douglas called at my tent a few days afterwards, when nearly the same conversation took place before my wife. He wished very much, that I would alter the day on which a market was held on Mr. Moran's land, to which I partly consented; but thinking afterwards, that it would not be proper for me to do so without Mr. Moran's consent, I wrote to Mr. Douglas, that I could not comply with his request, without previously obtaining the permission of Mr. Moran. In answer to this, Mr. Douglas wrote to me, saying, "Sir, you had promised to alter the day of your market, but since you have changed your mind, I have recalled my people from Mootaharry, and shall prevent as much as is in my power your establishing a market, or taking water from the nullah." This letter is in the possession of my attorney, Mr. Tylors. Matters remained in this perplexing state, while a great number of armed men, by day and night, paraded at the nullah, on Mr. Moran's ground, preventing my people from taking water. They drove them from the nullah and beat them with sticks; so that in fact, the progress of the building of a factory, for many days was wholly put a stop to for want of water. In consequence of this, I was obliged to commence sinking wells, and as often as I opened them, the same armed persons who obstructed me from taking water at the nullah, came on Mr. Moran's premises, beat away my people, and forcibly filled up the wells. The operations of those armed men had been hitherto confined to obstructing my going on with the buildings; but on the 4th of June 1808, between the hours of three or four in the afternoon, after I had retired from the works to my bungalow, a great number of persons, from seven hundred to a thousand, as I supposed, came armed with swords, sticks, and other weapons, suddenly surrounded my bungalow, and a number of them rushed in. I was then upon a couch. They did not give me an opportunity of asking what they wanted with me, but proceeded to beat me with large bamboos, which cut me upon the right eyebrow in two places, and in several other places of the head. I became senseless from the injury I received; and when I recovered, I found myself lying under a tree about 40 or 50 yards from the bungalow; but how I came there I do not know. I saw the munshee khana, in which the native writers belonging to the factory reside, eat, drink, and sleep, and the granary in which the grain, indigo seed, and other stores of the factory are kept, and all the huts on the premises of Mr. Moran, were on fire; but I do not know who set fire to them. The moonseekhana and granary containing several hundred maunds of different sorts of grain, all the huts and out-buildings were burnt to the ground, and the fire continued for several days. My bungalow was plundered of plate, furniture, wearing apparel, and other articles. They hacked the bungalow with their tulwars, broke my palakeen, carried off my tent, horse, and dogs. The horse and dogs were let loose, but every thing else was carried to Mr. Douglas's factory.

Sworn, the day and year first above written, before me,

(Signed) C. F. Martyn, Magistrate.

(A true copy.)

(Signed) A. H. Smith, Head Clerk.

No. 15.

The Information and Deposition of Mrs. Elizabeth Clark, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justice of the Peace, in and for the town of Calcutta, at Fort William in Bengal, the 5th day of December 1809; who, on her oath, saith; My husband, Mr. Clark, was deputed by Mr. Moran in the month of May 1808, to superintend the building of a set of indigo works, situated at Mootiary, in the district of Chuprah. The work was delayed in consequence of the workmen being constantly interrupted by persons said to belong to Mr. Robert Scott Douglas and Motram Khawn, the latter of whom is holder of some ground contiguous to Mr. Moran's land. In consequence of those interruptions, Mr. Clark went to Mr. Douglas, to state to him the loss and injury which Mr. Moran was suffering from the unwarrantable interference of his servants; and another object he had in view, was to endeavour to make up the differences between them. This attempt, as I understood from my husband, did not succeed. Mr. Douglas and Mr. Clark had afterwards a conference in our tent at Mooteary, at which I was present. Mr. Douglas came, accompanied with a great number of persons. They were not of that description of people who are the usual attendants of one person paying a visit to another. Many of them were equipped with tulwars and other weapons, and in number and appearance seemed an armed force brought thither to intimidate. In the course of the conversation, Mr. Douglas endeavoured to persuade Mr. Clark to change the market day to that of another, which he declined to do, but having in the course of conversation, plainly given Mr. Clark to understand, that his wife and child would incur danger by continuing to reside at Mooteary, and that he did not know what steps Mottram Khawn might take to prevent Mr. Moran building his works on land to which he had no right, for if a contest should arise, and any lives were lost, Mr. Clark would most likely be sent out of the country. Mr. Clark did, in consequence, partly acquiesce in changing the market day. Mr. Douglas went away; Mr. Clark, on further consideration, did not think himself authorized to change the market-day without the sanction of Mr. Moran, and he wrote to Mr. Douglas a letter to this purport. The answer returned was of a threatening nature, and Mr. Clark was therein required not to take water from the nullah, or cut reeds from the lake, which were stated to be the exclusive property of Mottram

Mottram Khawn, who would do all in his power to prevent Mr. Clark from appropriating either water or reeds to the buildings of Mr. Moran or to his own private use. To obviate those frequent inconveniences, and to avoid as much as possible all disputes, Mr. Clark commenced the sinking of a well; here also, he met with every opposition from a number of persons belonging to Mr. Douglas, who, when the well was opened, forcibly came to the place and filled it up. Matters continued in this state until Saturday the 4th of June 1808. Mr. Clark had on that day returned from the works between three or four o'clock in the afternoon, and had gone to lay down on his cot; at this time I was walking with my child in the shade of some trees near the bungalow; I suddenly heard a great noise from the opposite tope, which I at first thought to be the celebration of some holyday by the natives; but on seeing a great number of persons come out of the tope armed with swords, sticks, and other weapons, and approaching the place where I was, I became very much alarmed and ran into the house; I immediately called out to Mr. Clark, that the people were coming, and had scarce time to say more, and got into my room, when the armed multitude surrounded the house, and some of them rushed in and began to beat Mr. Clark; I shut my door, and concealed myself under my cot, and from thence I observed some of the armed men enter my room, tore away the curtains of the cot, took away all the property which was in the room, and destroyed what they could not carry off. My female servant concealed my child behind a large water jar which stood in the verandah, close to the window of my room. Some of those in the house began to beat my female servant, when others said, "do not beat the woman." This gave me a little courage, and supposing that they would not injure me, I attempted to come out of my room, to go to Mr. Clark, whom I had seen from the window, that the people were using ill at the outside of the house; just as I had opened the door, an hircarrah, named Dirgapaul Roy, belonging to Mr. Douglas, and whom I had noticed when his master came to see Mr. Clark, advanced up towards me with a tulwar, and was about to strike me; a sepoy, dressed in uniform, and whom I had also seen in the retinue of Mr. Douglas, stayed him from striking me, saying, "it was Mr. Douglas's order to refrain from offering any violence to the babee or child, but to aardallo, or beat Mrs. Clark, and all people about the place." Mr. Clark was laying about 15 or 20 yards from the bungalow covered with blood; I retired into my room; from the window, I observed the granary, the moonshee khannah, the godowns, and all the huts on fire; who set fire to them I do not know. Previous to the rioters quitting the bungalow, some of them called out to set fire to it; while others said, "no, no, do not set fire to this house, the babee is inside of it;" when they had done all the injury they would, they came up to me, and told me "to make myself easy, as they had killed Mr. Clark, and would not molest me." They then took their departure. Some of our servants, who had made their escape during the committing of the outrages, returned to the house, bringing Mr. Clark with them. He was wounded in several places about the head, bruised all over the body, and covered with blood, as will appear by the cloaths which he wore at the time, and which I still have by me, in the same state they were when he shifted them. When the confusion was over, we discovered that the rioters had carried off all the articles belonging to the factory as well as to the workmen. In the bungalow, they destroyed almost every thing, plundered us of our little plate, broke open several chests, one of which contained some dozens of china-ware, which they smashed to pieces, robbed my female servants of all their toys or ornaments, and even carried away the bedding, palampore, and the pillows of my child. Nothing escaped them, and what they could not carry off, they destroyed upon the spot. The havoc they occasioned, left us so destitute, that we had not a chair to sit down upon, nor in the kitchen a single utensil to dress our food. To the best of my knowledge, one of the prisoners, Pahar Sing, now shewn to me, was among the persons who committed these acts. The other two prisoners I cannot so well speak to, from the consternation and confusion I was in at the time. My cook was so severely beaten, that he constantly complained of the pains he felt, and he died in about two months afterwards.

Sworn the day and year first above written, before me.

E. Clark.

(Signed) *C. F. Martyn*, Magistrate.

(A true copy.)

(Signed) *A. H. Smith*, Head Clerk.

The Information and Deposition of Mobaruck Hussain, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the Town of Calcutta, at Fort William in Bengal, the fifth day of December 1809; who, on his oath saith; I am a servant at present out of employment; but in the month of June 1808, I was in the service of Ally Muzzuffier Khawn, as a tassildar or collector. I lived at the Bow-banypore garden, to the east of Mr. Clark's bungalow, and distant from it about fifty yards. It was on the forty bigahs of land granted by Cazeer Assam Khawn to Mr. Moran. I lived in a straw hut thereon, which Mr. Clarke gave me the means of building. There were other straw buildings on the same land. There was also a bungalow, granary, vats, moon-shee khanna, botique shops, and bricklayers houses. I eat, drank, and slept in the hut erected for me. None of my family resided with me, there was only a peon. I recollect an affray on the first of last June, on their land. On that day, Mr. Clarke had ordered his people to cut some reeds from the Jeel adjoining the forty begahs, and within that part borders on the Jeel. They were in the act of cutting the reeds, when Dirgassal Sing, Gunga Sing, Sreeckissen Sing, Pahar Tacoor, and other men, armed with sticks, came and ordered Clarke's people to desist. I was on the banks of the Jeel at the time. Clarke's people

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committed
in the inte-
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said, they were not cutting reeds on any other person's land but their own. Whereupon some of those in company with Gungah Sing, Sreekissen Sing, and Pahar Tacoor, went into the Jeel, laid hold of Clarke's people, and drove them out of the water, beating them all the way. Meer Phakoo, a peon of Mr. Clarke's, seeing what was going on, went and informed his master, who called Munnoo Tewarry, and he was ordered to repair to the spot with his men, to prevent Clarke's people from being beat, and to tell Douglas's party that the reeds which had been cut down were within Moran's boundary, and it was very wrong to bring on a dispute. Munnoo Tewarry did so; an altercation took place between both parties; from words they proceeded to blows, and after having fought with each other some time with their fists (neither party using their sticks) they parted and went away. I cannot say which side prevailed. They parted as if by consent, but at parting, Gungah Sing said, it was his master's orders to look out for such a beginning as had occurred, and told Clarke's party to take care of the consequences that might follow. In the scuffle some of Mr. Douglas's people might have been hurt, but not considerably, as neither party fought with sticks or swords. Munnoo Tewarry was Mr. Morand's superintendent of the factory; and his people were thus employed under him for the purpose of the business of the factory. On the 2d of June Gungah Sing, and Drogapall Sing, came within the forty begahs, accompanied with about thirty-five men, cut down a mangoe tree close to Clarke's bungalow, and took it away. No resistance was made on the part of Clarke; but some of his people called out "dhwy, dhwy," and desiring Gungah Sing not to cut down the tree. Gungah Sing and Durgopall Sing said, as you went to cut the reeds, so are we come to cut down the tree. While they were taking the tree away they came to a well, which had been dug on the banks of the Jeel, and filled it up, and then went away. On the 4th of June, in the morning, about three guries after sun-rise, three hundred men, or thereabouts, came in a tumultuous manner, and stood before the bungalow of Mr. Clarke. On this, all the people employed in the factory came to the bungalow, to see why so many persons were assembled. Fatty Ally Jemadar, and others belonging to Mr. Clarke, asked the cause of their assembling; but no answer was given. I saw four or five of the rioters come out of the crowd and perform pojah, and having done so, went away without saying any thing. Mr. and Mrs. Clarke were then in the bungalow, and saw what was going on. They did not say any thing to the rioters. The rioters were about the distance of a begah from the bungalow. In the afternoon, three guries of the day remaining, I was in my house, and two persons came running to me, saying, there was a great mob coming from Mootyary. On hearing this, I looked out, and saw on the bank a few persons, and all of a sudden about six hundred men came out of the Jeel, and stood on the bank, and then went to the same place where they had performed poojah in the morning. I knew some of them; there were among them Gungah Sing, Durgopall Sing, Soobha Tacoor, Pahar Tacoor, Haytoo Khawn, Kullo Khawn, Meer Ahmud Ally, Burson Roy, and Summarum Sing; on their coming to this place, Fatty Ally jemadar, and Onoop chokidar, came out of Clarke's bungalow, and called out "dhwy company, dhwy judge saile," and addressed the rioters, saying, why are you assembled here. You came here in the morning, what are you again come for? The rioters gave no answer at first. Some brandished their swords, spears, and sticks, and some were leaping. A little after, Durgapall called out to Fatty Ally and Onoop, to hold their tongues, as it was their master's order to spare Mrs. Clarke and child, and to beat that banchute Clarke, and his people, and drive them out. Whereupon Durgapall and Burson Roy came out of the crowd, and Burson Roy struck Onoop with a stick, and Durgapall made a blow at Fatty Ally also with a stick, but it missed him, and he ran away. Immediately Durgapall Sing, Sreekissen Sing, Pahar Tacoor, Haytoo Khawn, and others, in all ten or fifteen, went into the bungalow, and the rest remained outside, destroying things in the verandah; others were employed in pulling a tent down which stood near the bungalow. I don't know what was doing in the bungalow. I saw Mr. Clarke run out bareheaded, and wounded, and the blood running down; the rioters followed him, beating him with sticks. Mr. Clarke said twice, "dustoor, dustoor," and then fell down. He raised himself a little, and the rioters repeated their blows till he fell again; he again attempted to rise, and was beat down again, and laid senseless at the foot of a tree. I then went a short distance from the bungalow. Fatty Roubut, Clarke's chokidar, who had been absent, returned, and called out "dhwy," on which four of the rioters ran up to him, and one of them cut him with a sword on the right side, and part of the belly; who cut him, I don't know; Fatty fell down wounded. The rioters then proceeded towards the vats where the bricklayers were working. The bricklayers, on seeing them, ran away, and the rioters took up the things belonging to the bricklayers. They and others proceeded on to the moonshee khonna; I saw five or seven go in; they were peons, I don't know their names; they took out pots and other things from thence. In the moonshee konna there was some indigo seed, and Durgapall Sing and Gunga Sing bring fire from opposite, to the shop of Samebah Saho, a moody, on the forty begahs of land adjoining the moonshee khonna. They gathered some dry grass, put the fire on it, blew it into a flame, and then placed it against the thatch of the moonshee khonna, which took fire, and burnt it to the ground. While the moonshee khonna was burning, one of the rioters, whose name I don't know, took from thence some of the burning straw, and carried it, and set fire to the granary, which was also burnt to the ground. The fire continued to burn for two or three days. My hut was not burnt, only the moonshee konna and the granary. I did not hear Sreekissen Sing, Summurun Sing, Pahar Tacoor, or Soobhao Tacoor, give orders to burn these places. They were present while it was burning. Then some of the rioters brought two hackeries to the moonshee konna, and loaded them, and another which was standing by, with straw belonging to the factory, and

set them on fire, and burnt the whole. The rioters then went to the bezar, plundered the moody and poddaur. They returned again to the bungalow, and some of them went in and brought out different articles of furniture, and took them away. The tent was taken away. Munnoo Tavarry, and other mutsuddies, inhabited the moonshee konnah, eat, drank, and slept there.

Sworn the day and year first above written, before me,

(Signed)

C. F. Martyn, Magistrate.

(A true copy.)

(Signed)

A. H. Smith, Head Clerk.

The Information and Deposition of Sadho Ram, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the Town of Calcutta, at Fort William in Bengal, the fifth day of December 1809; who, on his oath, saith; I am at present out of employment; but was formerly a mutsuddy, or writer, in the service of Mr. Douglas, who is an indigo manufacturer at Pepra, in zillah Sarun, in the district of Soubah Behar. Mr. Douglas entertains a number of men in his service, of different descriptions. While I lived with him, he had also armed men, who were ready to fight, or to do any thing else that they were ordered. Among those armed men, he kept in his pay or service, Summarun Sing, jemuldar, Soobhao Tacoor, sepoy, Srie Kessen, jemuldar, and Pahar Tacoor, jemuldar. Those four persons acted under the orders of Mr. Douglas. He dispatched them to Mootyary, and desired me to follow them in four days afterwards. While I was at Mootyary, I, as well as the four above-named armed men, received letters from Mr. Douglas, that in the event of Mr. Clarke's people making any movement, we were not to spare them, but to turn them out of possession of the factory. That letter is not with me, but is deposited in the Supreme Court.

Sworn the day and year first above written, before me,

(Signed)

Chas. F. Martyn, Magistrate.

(A true copy.)

(Signed)

A. H. Smith, Head Clerk.

The Information and Deposition of Sunt Lall, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the Town of Calcutta, at Fort William in Bengal, the fifth day of December 1809; who, on his oath, saith; I was formerly employed by Mr. Robert Scott Douglas, and kept the hackeray account, at the factory at Pipra. On the 3d of June 1808, while I was at Pakeree Ossoke, I received a letter from Cherunjeebeg Lall, instructing me to provide 100 or 200 armed picked men, but for what purpose I do not know, and send them to him to the factory at Pipra; and to send them along with Bodekissen, who was the sezawal, and to whom I was a writer. On receiving the letter and reading it, I asked the person who brought it, whose name I do not know, but who is a rajpcot, for what reason Bodekissen had been sent for. He replied, that Sadhooram, who was a tussuldar at Mootyary, on behalf of Mr. Douglas, to leave the business, that he might not be involved in a quarrel that was existing between gentlemen, meaning Mr. Douglas and Mr. Clarke. In consequence of the orders which the letter contained, I took a horse and rode round to all the villages under the sezawal, and desired every body who wanted employment to repair to Moonshee Cherunjuvee Lall, at the factory at Pipra; eight or nine men accordingly went from Bukhree, and four or five persons from Bissummerpore. I do not know whether any person went from any of the other villages or not; on Sunday, in the morning, I went to Pipra, where Bhola Tewarry, a hircarra, belonging to Mr. Douglas, arrived on horseback from Mootyary. He said to me outside of the bungalow, before we had seen Mr. Douglas, We have obtained a victory; Mr. Clarke is wounded (zikiem.) I asked Bhola if he had seen Sadhoram, who was there? he informed me, that Sadhoram had gone to his own house at Surgeea on Friday the 2d; Bhola then went into the bungalow, and I was following him, when I was stopped by Mr. Douglas's chubdar, who said his master had given order not to admit any person while Bhola was inside; I told him I was a servant, and entered into the room, upon which Mr. Douglas said, why do you come so often here; go and attend to your business? I made my salam, and went away. I did not hear any conversation between Bhola and Mr. Douglas; I again went to the factory on the 7th or 8th, and I saw Cherunjuvee Lall receive 600 rupees from Mr. Douglas, and pay it to the armed men who had returned from Mootyary. They were paid up to the 7th of June, and the servants of the Pipra factory, who had gone to Mootyary to fight, received double wages.

Sworn the day and year first above written, before me,

(Signed)

Chas. F. Martyn, Magistrate.

(A true copy.)

(Signed)

A. H. Smith, Head Clerk.

The Information and Deposition of Shecili Fyzoolla, taken upon oath before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the fifth day of December 1809; who, on his oath, saith; I am a husbandman, and a native of Mogla, in Zillah Chupra in Soobah Bahar. I remember on the 4th of June 1808, there was an earthquake, about three gurries of the day remaining, and on that day I saw five or six hundred persons coming towards Mootyary, some by land and others by water. Those persons were armed with sticks and tulwars. They first stopt

No. 5.

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about ten paces distant from Mr. Clarke's bungalow, at Bhojanypore in zillah Chupra, in Soobah Bahar. The armed men afterwards proceeded and came near a mangoe tree, which was about one pace distant from Mr. Clarke's bungalow, when Onoop, Mr. Clarke's chokidar, called for justice: "Dowe, Dowe, in the open face of the day these men are come to commit a dacorty." Whereupon Sree Kissen Sing, one of the prisoners now present, said, Be quiet, Banchoot, it is my master's orders not to molest the beebee saheb and the baba, but to beat Mr. Clarke and his people, and turn them out from the premises; that he, Clarke, might not be able to erect a factory there. Pahar Tacoor, Sreekissen Sing, Sumrum Sing, and six or seven others, beat Onoop with sticks, which brought him to the ground, and they then forcibly entered into the bungalow. What passed in the bungalow I did not see. Mr. Clarke came out from the north door, and was endeavouring to run away, when he was pursued and beat by the prisoners and others. I heard Mr. Clarke tell the prisoners, that it was against the regulations to beat Europeans. The prisoners and others replied, it was their masters orders; and continued beating him. I saw Mr. Clarke fall down on the ground in consequence of the beating. Mr. Clarke got up, and attempted to run away, but he was brought to the ground a second time. Mr. Clarke got up again, and attempted to effect his escape. He was brought to the ground a third time. In this situation, he continued bleeding much from the face, and I observed blood about the cloaths. The prisoners and others proceeded towards the vats. In their way they met Futtu Rawate, a chokidar of Mr. Clarke, whom they beat; and some of them, but whom I cannot say, gave him a cut with a tulwar on the right of the belly. The bricklayers, who were at their work in the vats, on seeing the rioters ran away. The prisoners and others plundered them of their tools and their cloaths. They then proceeded towards the moonshee khonna, and plundered it of every thing; but they did not touch the grain or the indigo seed. There was some fire at a short distance from the moonshee khonna, which had been left by some person that had cooked victuals at the place. Drupali Sing took some straw from the chopper, and gave to Gunga Sing. Gunga Sing put some fire into the straw, and began to blow at it. Drupail Sing assisted Gopall Sing in blowing it into a flame. I heard four or five others say, in a loud voice, blow up the house, the saheb will be glad of it (meaning Mr. Douglas) and will give us buxsees. This order was again given by the prisoners, and another person of the name of Sabhoo Sing repeated it. I saw the granary and the moonshee khonnah on fire, but I cannot say who set fire to it. Some of the rioters, but who I cannot tell, went behind the moonshee khonnah, and set fire to three hackeries; while the hackeries were burning, the rioters proceeded towards the bungalow, plundered the remaining articles that were in the bungalow, and took a tent, and a horse with them, and proceeded towards Mootyary.

Sworn the day and year first above written, before me,

(Signed)

C. F. Martyn, Magistrate.

(A true copy.)

(Signed)

A. H. Smith, Head Clerk.

No. 20.

The Information and Deposition of Bhoiro Roy, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the fifth day of December 1809; who, on his oath, saith; I am a peasant, and live at Bilbona, near Motibaree, in the district of Chupra. In the afternoon of a Saturday, four days from the end of Joistee, or June, 1808, I went to the bazar at Bhowanceepore; and finding it shut up, I proceeded towards Mulcharee; and, in my way, I saw five or six hundred people assembled at a bungalow, inhabited by Mr. Thomas Clarke. I saw Bussun Roy strike Onoop, chokidar of Mr. Clarke's bungalow, with a stick. Afterwards Pahar Thacoor, Drupaul Sing, Sree Kissen Sing, Hetoo Khawn, Calloo Khawn, and several other persons, rushed into Mr. Clarke's bungalow; a short time afterwards, I saw Mr. Clarke come out of his bungalow, and much blood flowed from his head; and many of the people were beating him with sticks; and Mr. Clarke fell down twice; and the third time that he fell, he became senseless. Some of them were plundering the bungalow. I saw the moonshee khannah granary, and a hut, and three garries, or carts, on fire; but I do not know who set them on fire. They carried away a horse and a tent, and plundered the bungalow of every thing that they could carry away.

Sworn, the day and year first above written, before me,

(Signed)

Cha. F. Martyn, Magistrate.

(A true copy.)

(Signed)

A. H. Smith, Head Clerk.

No. 21.

The Information and Deposition of Radha Kissen, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the fifth day of December 1809; who, on his oath, saith; I was formerly employed by Mr. Douglas, as collector of the village of Chintamonpore. On Friday the 24th of Joyt 1215, (Fuslee), corresponding to the 3d of June 1808, I went to the factory of Mr. Douglas, at Pissera, about eight o'clock in the morning, and saw Cherunjeevee Lall, who was Mr. Douglas's moonshee, engage about forty persons, as servants; and told them, that they were engaged for the purpose of going to Mootyary, to fight Cherunjeevee Lall; went into the bungalow to Mr. Douglas; and when he came out again, he said to the people

people whom he had engaged, that Mr. Douglas had ordered them to go to Mootyary, and beat the gentleman, and turn him out of Mr. Moran's factory. He did not mention the gentleman's name, but desired them to turn him out of Mr. Moran's factory, and to prevent him from establishing a factory there. A short time after this, Mr. Douglas came out of the bungalow, and also gave orders to the people to go to Mootyary, and beat the gentleman, and turn him out of the factory. After this, Siodeal Sing, the nephew of Cherinjeevee Lall, said to his uncle, that the villages of Bissumberpore and Bukheria, were inhabited by Rajpoots; and told him to write a letter to Sunt Lall, who was there, with Bade Kissen, desiring him to pick out a hundred, or a hundred and fifty men, and send them also. Cherinjeevee Lall did, in consequence, write a letter, and sent it by a coyst, named Giridhar. Mr. Douglas was walking backward and forward outside of the moonshee khonnah, in the flower-garden. He heard this conversation, and desired Cherinjeevee Lall to write a letter, but did not dictate any particulars. I know nothing about the affray at Mootyary.

Sworn the day and year first above written, before me,

(Signed) *Cha. F. Martyn*, Magistrate.

(A true copy.)

(Signed) *A. H. Smith*, Head Clerk.

No. 5.
Further Ex-
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Country.

The Information and Deposition of Raj Dhurr Rawoot, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the 5th day of December 1809; who, on his oath, saith; I am a native of Mootyary in zillah Chuprah, in Sooba Behar, and a husbandman. While six days were remaining in the month of Jayt, before the last, one evening a dosand, or chokidar, belonging to Mr. Douglas, came to my house, and desired me to go with him to fight. I told him I did not know how to fight; the chokidar went away, and I, Sobhanny, and Peero, proceeded to the house of Cherungeevee Lall, the mooktear of Mr. Douglas; Cherungeevee Lall took us before Mr. Douglas, and told him we had refused to go to fight. Mr. Douglas spoke something to Cherungeevee Lall, in English, which I did not understand. Cherungeevee Lall came and informed us, that Mr. Douglas said we must go to fight, and if we do not, he would flog us, and take away our lands, and banish us from the village. We went to our homes. On the following day, Saturday, four days of the month of Jayt remaining, a number of persons armed with sticks and tulwars began to assemble early in the morning, at a place called Puttya. I joined them also, through fear of Mr. Douglas's putting his threats into execution. We collected in a large body, and proceeded to Bhabanypore, to Mr. Clarke's factory. We arrived near the factory at about three guries in the morning. Sreekissen Sing, Pahar Tacoer, and Drapall Sing, the principal jamadars, laid down their arms, and said their prayers, in order to be successful in the fight. They got up, armed themselves, and gave orders to proceed back to Mootyary, the place where they had originally assembled. We went thither, and in about one gurrie and a half we were served with refreshments. When three guries of the day were remaining, Sheekissen Sing, the prisoner now present, and Drapall Sing, said, "Victory is on our side, let us arise and proceed." We got up and proceeded towards Mr. Clarke's bungalow, which we reached in a short time. When we came near the bungalow, I saw the prisoner Sreekissen Sing, without uttering a word, take his stick, and gave a blow to Goveye, Mr. Clarke's cook, upon the head. Some others beat him also; he fell down on the ground. Onoop, Mr. Clarke's chokedar, seeing what was passing, cried out, "Dowe, dowe;" upon which the prisoner Sreekissen Sing abused him, and called out to him to be quiet. He added, I have Mr. Douglas's orders not to meddle with madam and the child, but to beat Mr. Clarke, and to set fire to his bungalow. Whereupon the prisoners, Sreekissen Sing, Pahar Tacoer, and some others, rushed into the bungalow. What passed there, I do not know. Shortly after they had entered the bungalow, I saw Mr. Clarke running out of the bungalow, with his head uncovered. As he was running he was warding off the blows with both of his hands, which the prisoners Sreekissen Sing, Pahar Tacoer, and Drapall Sing, were giving him with sticks. Mr. Clarke fell down twice, and got up, but the third time Mr. Clarke fell upon his face, and could not rise again; Mr. Clarke bled very much from the head, face, and other parts. I was much frightened, and stood at a distance, from whence I saw the moonshee konnah burning; who set fire to it, I did not see. The armed men began to plunder the bungalow. The tent was afterwards cut down by Sobanny. Hattoo, mussulman, belonging to Mr. Douglas, took away Mr. Clarke's horse. We then went away.

Sworn the day and year first above written, before me,

(Signed) *Charles F. Martyn*, Magistrate.

(A true copy.)

(Signed) *A. H. Smith*, Head Clerk.

The Information and Deposition of Cassem Ally Khawn, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the Town of Calcutta, at Fort William in Bengal, the fifth day of December 1809; who, on his oath, saith; I am a peon, at present employed by Mr. Smith, the Judge of Circuit at Patna, and was formerly employed by Charles Boddam, the Judge and Magistrate of zillah Sarun. In the month of Joyt 1215, (fulsee) I received a perwannah from Mr. Boddam, and was directed to go to the daroga of Culleanpore, and apply to him for assistance, to bring Foyjun Sicklegur and others; I do not recollect the date, but I arrived there on a Friday; on the

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Saturday morning, hearing that Foyjun had gone to Mooteary to purchase some leather, and that some of the others had entered into Mr. Douglas's service, I went, accompanied by a burkundauze named Emaumbux, and in the way I saw smoke, which appeared to be a fire, in the direction of Mootyary; I mentioned the circumstance to Emaumbux, who said, he supposed that the smoke arose from the burning of Mr. Moran's bricks; when we approached Mootyary, we met four labouring people running away without any cloths upon their heads, and of whom we enquired, what was the matter? they informed us, that they had run away from fear, in consequence of a body of people belonging to Mr. Douglas, that had come to Mr. Moran's factory in a riotous manner, had wounded Mr. Clarke, and set fire to the moonshee konnah. When we advanced a little farther, I saw Futtah Gowallah lying on the ground, and he had received a slight wound by a sword, on the right side; as we passed Mr. Clarke's bungalow, Mrs. Clarke sent Foyjoolla, chuprassy, to call me and Emaumbux; I told him that I was a peon of the court, and then upon duty, and could not go; I also told him, that as there was a quarrel between Europeans, I did not wish to be involved in it, or to be afterwards called upon to give evidence. Foyjoolla came a second time, in consequence of which we went into Mr. Clarke's bungalow, where I saw him lying on a cot, and blood flowing copiously from his brow; Mrs. Clarke shewed us his clothes, covered with blood, and told us the circumstances; but this was after the affray, and the riotous people had all dispersed, and I saw nothing of it. We left the bungalow, and proceeded on our duty to the village of Mooteary, where we saw Mr. Douglas's people making out a list of some European articles, among which were two spoons, which appeared to be silver, two shades, and a bundle wrapt up in a blanket, the contents of which I do not know; Emaumbux informed them, that Mrs. Clarke had related the circumstances to us, and told them that they had done very wrong in beating Mr. Clarke, and plundering his house; they replied, that they had acted according to Mr. Douglas's orders, and that he was responsible for whatever they had done; they further said, they would take every thing to the factory, to their master, Mr. Douglas. In the crowd I saw the three prisoners now present, whose names, I am informed, are Pahar Tacoor, Sree Kessen Sing, and Sumerum Roy.

Sworn the day and year before written, before me,

(Signed) *Chas. F. Martyn*, Magistrate.

(A true copy.)

(Signed)

A. H. Smith, Head Clerk.

No. 24.

The Information and Deposition of James Bruce, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace, in and for the town of Calcutta, at Fort William in Bengal, the 5th day of December 1809; who, on his oath, saith; I am acquainted with Mr. Robert Scott Douglas, of Pepra, pergunnah Majawah Zillah Sarum, and have known him for several years; he is an indigo planter in that district: I have frequently heard him say that he was born in England, though I do not know of what country he is.

J. Bruce.

Sworn the day and year first above written, before me,

(Signed) *Cha. F. Martyn*, Magistrate.

(A true copy.)

(Signed)

A. H. Smith, Head Clerk.

No. 25.

The Information and Deposition of Mathew Moran, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace, in and for the town of Calcutta, in Fort William in Bengal, the 5th day of December 1809; who, on his oath, saith; I am an indigo planter at Barah, in the province of Behar. Sometime in the month of April 1808, I employed Mr. Thomas Clarke to go to Mootyary, to superintend the building of a set of indigo works, which I was then erecting at Mootyary, on forty begahs of land, which I had obtained a potah for, from Cazey Hussain Khawn, with the sanction of the Board of Revenue; Mr. Clarke did accordingly proceed to Mootyary, sometime in the month of May 1808. From the time of Mr. Clarke's arrival at that place he frequently wrote to me, stating the improper conduct of the servants of Mr. Robert Scott Douglas, who were continually obstructing the work from going on, and my people from taking water from the Jeel, to go on with the building; in consequence of which I wrote to Mr. Clarke, to dig wells and obtain water, in order to prevent having any altercation with Mr. Douglas or his people; in this attempt he was also opposed by Mr. Douglas's people, who forcibly entered on my premises, and filled the wells up. I had received continual accounts of the interruption my people met with from those of Mr. Douglas, while going on with the building; in consequence of which I wrote Mr. Douglas a letter, desiring him to prevent his people from committing such unwarrantable outrages; in answer to which I received a very dissatisfactory reply. About the 7th or 8th June I received further accounts, that a large body of people, belonging to Mr. Douglas, had forcibly entered on my grounds, and beat and cruelly ill used Mr. Clarke, and other servants belonging to the factory; that they had set fire to a granary, containing a large quantity of different sorts of grain and indigo seeds, moonshee konnah, and several other out-houses, and had carried off almost every thing they could lay hold of, belonging to me and Mr. Clarke, at the factory.

Sworn the day and year first above written, before me,

(Signed) *Cha. F. Martyn*, Magistrate.

(A true copy.)

(Signed)

A. H. Smith, Head Clerk.

The

The Examination of Sreekissen Sing, Someron Roy, and Pahoi Tacoor, taken before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta and factory of Fort William, in Bengal, the sixth day of December 1809.

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The said examinations being charged on the oaths of Thomas Clarke, Elizabeth Clarke, Mobaruck Hussain, Sadhoram Sunt Lall, Shukh Fyzoolla, Bhairoo Roy, Radho Kissen, Rajdhur Rawoot, Cassim Ally Khan, Mathew Moram, and James Bruce, and with having riotously assembled, and maliciously, wilfully, and feloniously set fire to, and burnt to the ground, one thatched granary, containing eighteen hundred cutcha maunds of different sorts of grain and indigo seed, and a thatched moonshee konnah dwelling, together with divers other straw huts, or dwellings, the property of the said Mathew Moran; and the said examinants, being duly interrogated, say, we are not guilty of the above stated charge.

Taken the day and year first above written, before me,

(Signed) *Cha. F. Martyn*, Magistrate.

(A true copy.)

(Signed) *A. H. Smith*, Head Clerk.

DEPOSITIONS in the Case of THOMAS GARDINER.

The Information and Deposition of Tucktee Buvah, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of Peace in and for the town of Calcutta, at Fort William in Bengal, the ninth day of June 1810; who, on her oath, saith; I am the widow of the late Harro, and an inhabitant of Kurimali, in Zillah Krishnagore, in the province of Bengal. Six days remaining of the month of Choyte, or April last, on a Tuesday, and probor of the day remaining, Loboye and Huneef, two packs belonging to Mr. Kelso, came to my late husband's house, and said, that Mr. Gardiner wanted him. Harro was at this time smoaking a chillum of tobacco; Cattay Khawn, a brother-in-law of Harro, was with Loboye and Haneef. Harro went along with them, of his own accord. On Thursday Lochum Birwas came to my husband's house, and informed Damoo, my brother, that my husband had been beaten by Mr. Gardiner, Haneef, Loboye, and a sepoy; and that he was kept in the factory, and was not suffered to go home. Lochum Birwas also said, that Harro was very ill, and he was speechless, and there were no hopes of his living; and he said, if Damoo wishes to see him, he ought to go to the factory; whereupon Damoo set off instantly on the same night, or a little of the night remaining. Damoo came home, and gave me tidings of the death of my husband. I lamented the loss of my husband, and remained at home. I did not go to see the corpse of my husband, because it was in the factory, and I was afraid of losing my cast. Besides which, my husband's lawful wife did not go there herself. In the afternoon that my husband went to the factory, he was not ill; he was in good health, and so for many days prior to his going thither. He was a strong, healthy, middle sized, stout man, and was not old.

No. 27.

Sworn the day and year first above written, before me,

(Signed) *C. F. Martyn*, Magistrate.

The mark of

✕
Tucktee Bewah.

(Signed) *J. Gonsalves*, Int^r.

(A true copy.)

(Signed) *A. H. Smith*, Head Clerk.

The Information and Deposition of Callay Khaun, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the ninth day of June 1810; who on his oath, saith; I am a clashee, in the service of Mr. Kiloo, and am attached to an indigo factory at Tuddoonotpore, in the district of Khrisnagore, in the province of Bengal. On a Tuesday, about two months ago, on the day of the new moon, I was taken from Mirzapore village, where I had been to get indigo seed, sown by Loboye and Hanup chowkeedars of the above factory; Haroo, clashee, the deceased, was also taken away along with me. Haroo was seized by the chowkudars after I had been in their custody. He was taken at his house at Kurimale village, in the aforesaid district. We were taken to the Tuddolpore factory, and kept in the sircar's writing office, until the gentleman, Mr. Gardiner, had done taking his dinner, when we were produced before him by the said chowkudars, at his outh chatta or bungalow. Mr. Gardiner asked us why we had not sown seed; and he said we had committed a great fault, and for which we must be punished. Mr. Gardiner then ordered Loboye and Haneef to beat us; and Mr. Gardiner brought from a godown two canes, of the length of about two cubits, and of the thickness of my little finger, which he gave to Loboye, and with one of which, Haneef gave Harro, the deceased, five or six strokes about his posteriors. Mr. Gardiner got angry with Haneef, and said you are blind. He snatched the cane from his hand, and then gave it Loboye, and ordered him to beat us; whereupon he gave the deceased four or five strokes upon his posteriors; and afterwards he gave me about ten strokes with the same cane on the posteriors. After this, Mr. Gardiner ordered a sepoy, whose name I do not know, to beat Harro. He gave Harro five or six strokes with one of the canes about his posteriors. After this, Mr. Gardiner took the cane from the hand of the

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sepo, and gave Harro about five strokes on his back; Mr. Gardiner then ordered Haneef to rub chilly and salt upon us; Haneef brought some salt only, and rubbed it on the parts where I and Harro had been beaten. I felt a smarting for a short time; the marks swelled a little. Mr. Gardiner then ordered Lobo, and Haneef to take us to Juddoonotpore factory, which is from two to three coss distant from this factory. Harro in the way told me that he had not received four months wages; that he would take his wages and leave the service, as he could not bear to be flogged frequently; I and Harro proceeded to the Juddoonotpore factory, and remained in the lodging of the chowkudars who had first brought us under custody. I requested of Harro, who was my brother-in-law, to go home; Harro replied, he would not go away, until he received his wages. On the next day, Wednesday, Harro began to complain of experiencing constant thirst, and he drank much water. Lobo, Khawn, a relation of ours, who had come to the factory on his own business, came to the place where we were, and asked us why we had not gone home; whereupon Harro replied, that he had been vomiting, and was taken ill with a bowel complaint, which made him unable to proceed to his home. At this interval, Buxmahomed, another brother-in-law of the deceased, came to the place, and gave him some khoye, or fried paddy to eat; he eat two or four mouthfuls of it, and Buxmahomed went away, leaving us together. On Thursday following, Damoo, another brother-in-law of the deceased, came, and brought him choorah or beaten rice, and washed it in some water, and gave him to drink it. Harro drank some. I and Damoo remained by him on that night. I left Harro on a durmah mat, and went to sleep; at the latter part of the night I was awakened by Mooyden and Hessemud Piadah. They desired me to go and inform Harro's family of the death of Harro. I came back to the factory, and saw Mr. Gardiner walking about in his bungalow, and the tamah people making investigation. My deposition was likewise taken by the buxey or mohorir. On the second day of Harro's death, the mohorir came and ordered the corpse out of the room where it had lain. It was accordingly dragged out of the room by Buxmahomed and Lobo, Khawn, over planks, broken bricks, &c. which rubbed off part of the skin from the right posteriors. Mr. Gardiner requested of the mohorir to hold his inquest in the room where the corpse lay, to which the mohorir paid no attention, but said he would have the corpse out, which was accordingly done. Four days after I was ordered by the mohorir to dispose of the corpse. I and the other relatives of the deceased buried it. We were afterwards taken to the tannah, and from thence sent to Mr. Eliot, the magistrate, who took my deposition, and sent me to Calcutta with the others.

Sworn the day and year first above written, before me,

The Mark of

(Signed) C. F. Martyn, Magistrate.

Callay Khawn.

(A true Copy.)

(Signed) J. Gonsalves, Int.

(Signed) A. H. Smith, Head Clerk.

No. 29.

The Information and Deposition of Nobye, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the ninth day of June 1810, who, on his oath, saith; I am a chowkeidar, attached to the Juddoonotpore indigo factory, belonging to Mr. Kelso, in zillah Kishnagore. In the month of Choyte last (April 1810) on a Tuesday, at about seven in the morning, Mr. Gardiner, the superintendent of four indigo factories of Mr. Kelso, came to the Juddoonotpore factory, and ordered me and Haneef chokeedar, to go and call Harro, the deceased, and Callay Khan, two superintendents in the cultivation of indigo. We proceeded on our errand, and found Callay Khan at Mirzapore village, in the said zillah, to whom we communicated the order. Callay Khan said he was ready, and came along with us. We then proceeded to the house of Harro, the deceased, at Kurimali, in the said zillah. Harro accompanied us to the Juddoonotpore factory. I went to Mr. Gardiner's bungalow, and informed him that Harro and Callay Khawn were brought, and I was ordered to produce them before him. I did so. Harro and Callay Khawn were asked why they had not sown indigo seed, as this was the time. Harro did not make any answer; but Callay Khawn said he had sown indigo seeds. The gentleman then again asked Harro why he did not sow indigo seeds, for which neglect he ought to be punished. Mr. Gardiner thereupon walked into a room, and brought out from thence a rattan of the length of about two cubits, and of the thickness of my little finger, and gave it to Haneef, and said, lugow, or strike him; whereupon Haneef gave Harro three strokes with the said rattan about his waist, upon the cloth; but as he squinted, and could not see well, Mr. Gardiner snatched the rattan from his hand, and he gave the rattan to a sepo, whose name I do not know, and desired him to beat Harro. The sepo gave Harro five stripes with the rattan on the back. Mr. Gardiner then gave the rattan to me, and ordered me to flog Harro with it; I did accordingly give him four stripes about the posteriors. Mr. Gardiner then took the rattan out of my hand, and gave of himself to Harro seven stripes about the back. Mr. Gardiner, after this, ordered Haneef to apply salt to the parts where Harro had been flogged. Mr. Gardiner then went into the cookroom, and brought from thence some black salt, about half a chuttack, in his hand, and gave the same to Haneef, and ordered him to rub the parts with it. Haneef did so. Mr. Gardiner ordered me to rub in chilly, but none was rubbed in, although the same was brought by Hollodhur Baworchy, by the direction of Mr. Gardiner. We were afterwards ordered to go to the Juddoonotpore factory. Harro, as I understood from himself, had been ill about twenty days before, of a bowel complaint.

Neither

Neither Harro or Cally Khawn were put into custody. We proceeded on to the Juddoonotpore factory, where we arrived about seven in the evening. Harro and Callay Khan went to sleep. I went the rounds at daylight in the morning. I got up, and was proceeding to the village, to see indigo seeds sown, when I desired Harro to go also to his duty. Harro said he would not serve any longer; so did Cally Khan. They would wait for their wages, and upon receiving them, they would go away, as Mr. Gardiner had beat them without any cause. About five in the afternoon of the same day, I returned to my lodging from my duty, when I found Harro calling for water frequently to drink. Callay Khan, in my presence, told him to go home. Harro said he expected Mr. Gardiner at the factory; and when he comes he would take his pay, and then go home. Callay Khan eat some rice, but Harro did not eat any. I went to the bungalow, and on my return I enquired of Callay Khan, why Harro had refused to eat rice. Callay Khan said, he did not know why Harro had refused to eat rice. I went to sleep; in the morning I got up, and was about to go to my daily work, when, in my presence, Harro was calling for water to drink. Callay Khan said, if he would eat rice, he would give him water, otherwise not. I gave Harro some rice in a plate; Harro took a mouthful, but he could not swallow, and threw it up. Harro only continued to drink water. I saw him once vomit. I returned from my duty in the afternoon, and found Harro had eased himself in his cloth, and he had also vomited. He complained of a great heat about his body, and was rolling about the hut. Damoo after helped Harro up, and made him sit down; he also took him out whenever Harro wanted to go to ease himself, which might be two or three times on the same evening. About seven or eight I went to my own home at Tangara, and I did not see any thing further of Harro. Two days afterwards two ticka peons of the thannah came to my house, and carried me to the factory, where the corpse lay, and where the buxey took down my deposition. I did not see the corpse of Harro. From the factory I was taken to the thannah by the thannah people, and from whence I was conducted before the magistrate, Mr. Elliot, before whom my deposition was taken, and from whence I have been sent to Calcutta. This is all that I know of this business.

Sworn the day and year first above written, before me,
(Signed) C. F. Martyn, Magistrate.

The mark of

✕

Noby.

(A true copy.)

(Signed)

J. Gonsalves, Int^r.

A. H. Smith, Head Clerk.

The Information and Deposition of Haneef, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the ninth day of June 1810; who, on his oath saith; I am a ticca peon, in the service of Mr. Kilso, belonging to his indigo factory, situated at Juddoonotpore, in the district of Kishnagore. Three months ago, on a Tuesday, Mr. Gardiner came to the Juddoonotpore factory, from that of Jadubpore. The gentleman sent for me and Nobye, into his office, and ordered us to go and bring Callay Khawn of Odlossie, and Harro of Hurimate, to the Jadubpore factory. We went to the Mirzapore village, where we found Callay Khawn, whom I told that Mr. Gardiner wanted him; Callay Khawn said he was ready. From thence, with Callay Khawn, we proceeded to the house of Harro, and told him, that Mr. Gardiner also wanted him; Harro accompanied us. In the afternoon we reached the factory, and took them before the gentleman, who asked Callay Khawn why he had not sown indigo seeds; Callay Khawn said he had sown some. After this, Mr. Gardiner asked Harro if he had sown any? Harro said he had not sown any, as the land would be covered with grass; whereupon Mr. Gardiner said to Harro, that he had neglected to do his duty, and he would punish both Callay Khawn and Harro; whereupon Mr. Gardiner ordered me and Nobye to punish them; Mr. Gardiner brought out from a room two pieces of rattan, of about the size of my little finger, and about two cubits long, one of which Mr. Gardiner gave me, and the other he held. I was directed to flog Harro; I gave Harro three stripes on the posteriors. Mr. Gardiner took the rattan from me, saying, I could not flog well, and delivered it to Nobye. Nobye gave four stripes upon the posteriors, the end of the rattan split, and bruised a little of the skin of Harro's waist, of the size of a paddy. The same rattan was taken from Nobye, and given to a sepoy, whose name I do not know; and he was ordered to flog Harro. The sepoy thereupon gave Harro five stripes on his posteriors; the gentleman snatched the rattan from the sepoy, because he gave one stripe on the back; and then Mr. Gardiner gave with his own hand seven stripes on the back. The gentleman, after this, ordered some chilly and salt to be applied to the parts that had been flogged. Some salt and chilly were given to me in a broken earthen pot; I threw away the chilly, because I was told by Nobye and others, that the chilly would burn very much; but I rubbed the salt upon Harro; I do not recollect who gave me the salt and chilly. Callay Khawn was beaten in like manner by Nobye and the sepoy. At this time I went to the sepoy's lodging for a drink of water. I did not see Mr. Gardiner beat Callay, but applied salt to the flagellation, by the order of the gentleman; Mr. Gardiner then ordered me, Nobye, Harro, and Callay Khawn, to go to the Juddoonotpore factory. We accordingly went to the factory at Juddoonotpore. In the way, I desired Harro and Callay Khawn to go to their homes; they replied, that they would not go away until they received their wages; and they further said, that they would not serve Mr. Gardiner any longer, because they were beaten without cause; when we reached the factory, Harro and Callay Khawn requested of me and Nobye to allow them

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them to remain in the lodging of the peon, and other servants. I took my victuals in the above lodging, and went to watch Mr. Gardiner's office. On Wednesday following I saw Harro drink water frequently. On Thursday following, in the evening, I asked Harro how he was? Harro said he was drinking water, and has been vomiting and purging. After two o'clock in the morning, Hessundy peon came to Mr. Gardiner's office, and informed me that Harro was dead. Every person left the factory, and went away; I also went to my own house. On the third day of Harro's death, some of the tannah people went to my house, and brought me to the factory, where Harro had died; and I was taken into Mr. Gardiner's bungalow, where the bareey took my deposition. I did not see the corpse of Harro; I was taken by the bareey to the tannah, from thence before the magistrate, Mr. Eliot, where my deposition was a second time taken, and from whence I have been sent down to Calcutta.

Sworn the day and year first above written, before me,

(Signed) C. F. Martyn, Magistrate.

The mark of

X

Haneef.

(A true copy)

(Signed)

A. H. Smith, Head Clerk.

No. 31.

The Information and Deposition of Damoo Gaze, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the ninth day of June 1810; who, on his oath, saith; I am a cultivator of land, and an inhabitant of Hurimale, in zillah Nuddea, in the province of Bengal; when about six days were remaining in the month of Choyt (April last) on a Thursday, at or a little after one prohor of the day, in the morning, Lochan Biswas, one of the ameens of the Juddoonotpore factory, situated in the aforesaid zillah, and belonging to Mr. Kilso, informed me, at my house, that Harro, superintendent of the said factory, was very ill; I asked Lochan Biswas where Harro was. He informed me, that Harro was in the factory. Lochan Biswas also desired me to take a lotta, for Harro to drink water from. I did not take the lotta with me. About six ghurries of the day remaining, I went to the factory, and saw Harro in the house of the chowkeydar belonging to the factory. I found him laying on a mat. He seemed to be very uneasy, and was muttering some words, which I could not understand. I was at this time standing near the door of the chowkeydar's house, and went close to Harro, and stood by him for some time. He looked at me for a while, and then said, "brother Damoo, are you come, give me some water to drink;" whereupon I took an abkhorra, or a brass cup, belonging to Hassundy Poada, of the factory, and give Harro some water to drink. A little while after, he requested of me to lift him up. I did so several times; and he set down, whilst I supported him. Shortly after, he asked me again for water; and I gave him some. Some time after this, I washed some chooria, or beated paddy, and gave him the water to drink. After this nourishment, he seemed a little easy; but soon after, he became in the same state as before. Upon seeing him in that state, I asked him, what was the matter with him; he said, that the gentleman had beat him, and chilly and salt was rubbed upon the part where he had been flogged. I saw about eight or ten strokes upon Harro's back. They appeared to have been done with a rattan. I saw these marks when I lifted him up, in order to let him sit down. When about one prohor of the day was remaining, Harro, in that uneasy state, requested of me to take him out of the house. I took him out, where he made water, and eased himself; and at dark, I brought him back into the house, where he had been before, and laid him down at the same place. I took leave of Harro, and was proceeding home; and, after I had got to the distance of eight or ten cubits, Haneef chowkeydar called me, and said, Harro wanted me. I returned, and found Harro in the same state. Harro said to me, "brother, remain here this night, and attend upon me." I did accordingly remain with Harro, and attended upon him, and frequently gave him water to drink; that is, as often as he asked me for it. He did not complain of any internal, or external pain, or any other malady. About seven in the evening, I went to lay down near him, on a plank. In about an hour afterwards, I heard him groan. I got up, and went to him, and found him speechless. I repeatedly called him by his name, but could get no answer from him; whereupon I awoke Collye Khawn clashee, and Haram chokiyydar; the former was within a fatty or fence, and I and Harro within another. Both of them came up to Harro, and found him groaning. They called him by his name, and could get no answer from him. Near midnight, I found Harro in agony. I went to Hassanidy Peada, who was in another hut, at a short distance, and informed him the state in which Harro was, and said he was at the point of death. I and Hassanidy then proceeded to the house of the dewan, Sriehurry Bose, in order to inform him of the state in which Harro was; when we reached the dewan's house, Hassanidy Peada called out to him, by his name; he did not answer; but another person within replied, that the dewan was asleep; whereupon Hassanidy mentioned to him that Harro would not live. This person desired Hassanidy to go with a chokeydar, and inform the gentleman, Mr. Gardiner, of the circumstance. We did not go to the gentleman, but went back to Harro, whom I found in the state I had left him. I and Hassanidy went again to the dewanjee; and Hassanidy called him out. The dewan asked Hassanidy what he wanted; Hassanidy said Harro was dying, and he requested of him to come and see him. The dewanjee followed us. He came and stood without the house in which Harro was, and asked of Hassanidy, if he, or any one else, could feel the pulse. Hassanidy said he could not, but Moozdeen could; whereupon Hassanidy called Moozdeen, who was at the gentleman's bungalow.

Moozdeen,

Moozdeen, in a short time, came; and the dewanjee desired him to feel Harro's pulse. Moozdeen did so; and said, he would not live. At this time the groaning ceased, and he had a little breath remaining in him. I left him alive at about two prohor, and proceeded to the thannah, in order to give notice. I reached the thannah at about two and a half prohor, and found the jemmedar at the thannah, to whom I related the circumstance. The jemmedar asked, if Harro was dead? I replied, that he was not dead; whereupon the jemmedar desired me to go to the factory, and remain there until Harro died; and to give him notice. I told the jemmedar, that I could not go back to the factory, but was going to my own house. Early in the morning I sent to the Jaddobepore factory, in order to inform the gentleman of the situation that my brother-in-law, Harro, was in. I could not find the gentleman there, but was given to understand, by a gomasta of the above factory, that he had gone to the Juddoonautpore factory, the place where my brother-in-law was. I then crossed the bate creek, in order to proceed to Juddoonautpore factory; and, at which place, on the bank of the creek, Sheikh Bhollye, a clahce in the employ of the gentleman, Mr. Gardiner, informed me that Harro was dead; I asked him from whom he had got that information; Bhollye said that he heard it from another person. Bhollye desired me to proceed to the factory with expedition; and he also desired me to give notice at the thannah. I did accordingly go to the thannah, and gave notice to the jemmedar and his buxry, or mubmer; whereupon the thannah people proceeded to the factory. They found the gentleman in his bungalow. The thannah people went into the hut where my brother-in-law lay, and where I saw him lying dead. They received the corpse; some of the thannah people brought some villagers, in order to take a view of the corpse. Before the body was exposed to view, the corpse was brought out of the hut where it had laid by the buxey, who held the deceased by both of his hands; and another person, whose name I do not know, held both of the deceased's legs; and, in this manner the corpse was brought out. I saw, at the time, at the view of the body, that the back and posteriors were covered with dust; I did not see them before, and I cannot therefore say whether the parts were in that state before, or whether it was caused at the time of removing out the body. I also observed the skin on the right posterior rubbed off. It appeared to have been as if the corpse had been dragged over some hard substance. In the afternoon, the thannah people went and brought some villagers, and proceeded in their presence to take down depositions of Callay Khawn, a peon of the factory. I remained there three days; and during my stay there, the thannah people had not finished their investigation. They took down also my deposition. I left the factory on the next day after my deposition had been taken. I did not see how, or in what manner the corpse was disposed of. Some days afterwards I was taken by the thannah people before the magistrate, Mr. Eliot, who took my deposition, and sent me, with others, to Calcutta.

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tracts from
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cial Cons.
20 July
1810:—
Offences
committed
in the inte-
rior of the
Country.

Sworn the day and year first above written, before me,

(Signed) C. F. Martyn, Magistrate.

(A true copy.)

(Signed) A. H. Smith, Head Clerk.

The mark of

✕
Damoo Gauzee.

The Information and Deposition of Manick Gauzey, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the ninth day of June 1810; who, on his oath, saith; I am a cultivator of land, and an inhabitant of Oolassee, in the zilla of Krishnagore. On a Thursday, in the month of Chogte, or April last, about two gurries in the night, I went to the lodging, Sohaye, in the factory of Mr. Kilso, on account of having been overtaken by rain. I there saw two paikes, whose names I do not know, together with Goberdhone, Cally Khawn, Harro, and Damoo. I saw Harro very restless and groaning, and Damoo giving him water to drink. I asked Damoo what was the matter with Harro. He said, that the gentleman, without naming who he was, had beaten him. At about two and a half prohor of the night, Harro seemed in agony, he was groaning and speechless. Upon hearing Damoo say he was going to the Tannah to complain, I quitted the place, and went to my own house; I saw Harro on the night of his death. He vomited twice, and went out once in order to ease himself. I saw nothing further. I did not see his corpse afterwards.

Sworn the day and year first above written, before me,

(Signed) C. F. Martyn, Magistrate.

(A true Copy)

(Signed) A. H. Smith, Head Clerk.

The mark of

✕
Manick Gauzee.

(Signed)

J. Gonsalvez, Int'.

The Information and Deposition of Moozeen Sirdar, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the ninth day of June 1810; who, on his oath, saith; I am a chowkeedar, in the service of Mr. Kelso, to watch his factory at Juddonothpore, in the district of Krishnagore. On a Wednesday, some time in the month of Choyte last, I returned from Ranaghaut. In the afternoon I went into my lodging in the said factory, where I found Harro and Cally Khaun, both sleeping, and I asked them the reason

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of their being there; they said that they had been flogged for a trifling fault, and they would not therefore serve the gentleman any longer. I eat my victuals, and went to watch Mr. Gardiner's bungalow, leaving them in the lodging. On the next morning, at about four guries, I returned to my lodging, and when I saw Harro and Cally Khan, Harro was asking for water, whilst laying on his back. He appeared to be very sick. He vomited twice in my presence, and stooled once, and soiled the place; I went and informed the Dewan Sree Harry Bose of the circumstance; and stated to him, we were not able to take our victuals, owing to Harro's having dirtied the room. The Dewan desired me to represent it to the gentleman, as they refused to go away until their wages were paid to them. The gentleman at this time was at Jadoolepore factory; I mentioned the circumstance to Mr. Gardiner, and the gentleman said he would come in the next day and settle the business; and in the mean time he desired me to tell Harro to go home. About two prohor and a half I returned to my lodging, where I found Harro and Damoo; Harro seemed in the same state I had left him, and Damoo was giving him some water from beaten rice. I went and took my victuals, and then I proceeded to watch the bungalow. About a prohor of the night remaining, Hessandy, peada, came and informed me that Harro would not live, and he requested of me to go and see him. I went, and felt his pulse, and found him dead; Cally Khawn and Damoo went away to their houses. I put some oil in the lamp, and fastened the door of the room, and returned back to my post. On the next morning, Friday, a little after sunrise, Mr. Gardiner came to the factory, when we informed him of the death of Harro; the gentleman seemed very much surprised at it. He went and looked at the corpse; about four or six dondo in the morning, the buxey, or mohorir of the thannah, came, accompanied by a number of others, and surrounded the bungalow, seized me, and kept me at a distance. The gentleman was deprived of his breakfast on that morning. Some time after the thannah Jemadar came, and proceeded to take a view of the corpse. The gentleman requested of the buxey to take down the soorotehaul in the room; the buxey refused, and ordered the corpse out; whereupon two persons, Shekh Lobahdy held both hands of the deceased, and Buxoy both of the legs, and dragged the corpse out into a plain, near the door of the room, and then a view of the body was taken. In the course of examination I observed six or seven strokes, as of a rattan, upon the back of the deceased. The skin of the right posterior had been rubbed off; this, I suppose, was done by the dragging of the corpse from the room to the outside, over the planks, coah, gravels, &c. The buxey then proceeded to take depositions from them. I, and the others, were taken to the thannah, from whence we were sent before the magistrate, Mr. Eliot, who took down our depositions, and sent us to Calcutta.

Sworn the day and year first above written, before me,

(Signed)

C. F. Martyn, Magistrate.

The mark of

Moozdeen Sirdar.

(A true copy.)

(Signed)

A. H. Smith, Head Clerk.

(Signed)

J. Gonsalves, Int^r.

The Information and Deposition of Jungly, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the ninth day of June 1810; who, on his oath, saith; I am a chowkeedar, attached to the indigo factory of Mr. Kelso, situated at Juddoonotpore, in zillah Krishneegore. On a Thursday, about three months ago, I came to the above factory, from Ryjolphore factory, at dusk, and went to the lodgings allowed to me and other chowkedars, where I saw Harro, the deceased, lying down, and Callay Khawn, Damoo Harro's brother-in-law, Gobirdhone, Manick, and Harrawn Chowkeedar; upon seeing them at the lodging, I asked Calley Khawn, what had brought them there? Cally Khawn replied, that they would not serve the gentleman, meaning Mr. Gardiner, any longer; while I was talking to Calley Khawn, Harro, whose face was covered with a cloth, uncovered it, and I asked him the same question as I had put to Cally Khawn. Harro replied, that he would not serve the gentleman any longer, because he beats us frequently for mere trifles. Harro frequently desired Damoo, his brother-in-law, to lift him up; and called for water to drink as often as he sat down; he was supported by Damoo. I saw, during the time I was there, that Harro vomited twice. I asked Harro, why he drank so frequently? Harro said, he could not help it, because he found himself very thirsty, and that he had vomited, and had a looseness. After this I had no further talk with Harro, but left him with his brother-in-law Damoo, who was attending upon him, and taking care of him. I went and took my victuals, and retired to my duty of guarding the store godown and the washerman's house. About two and a half prohor of the night I heard a noise proceeding from the mouth of the deceased, as if he was in convulsions. I desired Damoo to feel Harro's body, whether he had expired; Damoo felt his body, and said the body was cold. I called Hessandy Peon to come and see what was the matter with Harro. Hessandy came, and saw Harro, and said, he is dead. Hessandy desired me to go the cutcherry, or office, and inform Tavildar, cash keeper, of the circumstance. I went away, leaving Harraun in my room. I went and brought the cash-keeper, who saw Harro from a distance; before whom Hessandy said, Harro is gone, or dead; when I returned with the cash-keeper, I did not find Harrawn. I got alarmed, being alone in the room where the corpse was; I therefore went to the gentleman's bungalow, and remained there. At day-light, I went into the village to make some tobacco, and shortly after returned, and went to Moozdeen, chowkeedar of the bungalow, and told him

him that I was going to my own house at Carnyado; Moozdeen said, go; and I went to my house, and saw nothing further. I was not present at the investigation, nor have I seen the corpse of the deceased, either before or after his death, consequently I am not able to say in what state it was.

Sworn the day and year first above written, before me,
(Signed) C. F. Martyn, Magistrate.

The mark of
✕
Jungley.

(A true copy)
(Signed) A. H. Smith, Head Clerk.

(Signed) J. Gonsalves, Int^r.

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The Information and Deposition of Harrawn, taken before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace, in and for the town of Calcutta, at Fort William in Bengal, the ninth day of June 1810; who, on his oath, saith; I am a chowkeedar, in the service of Mr. Kelso. On a Friday, about three months ago, I came to Juddoonotpore factory, from another factory, upon my master's business; I reached this factory at about two guries at night; I went to the lodgings allotted to the chowkedars in the said factory, and there I saw Callay Khawn, Harro the deceased, Damoo, Gobordhone, Cayborto, and Manick; I asked Callay Khawn what was the matter with him, and the others; Callay Khawn replied, that the gentleman, Mr. Gardiner, beat him; I then took my victuals and went to shop; about twelve o'clock at night, Jungley, another chowkeedar, awoke me, and directed me to keep chowkee or watch, at the lodging and cutcherry or sirear's office; I got up, and proceeded to do my duty; six dondo of the night remaining, I heard from some one in the lodging, that Harro was dead; I went into the room where the corpse lay, and saw him dead and laying upon a mat: the moment that Harro was dead, the dewan, whose name I do not know, gave me a letter, and ordered me to go to another factory, and to give it to Mr. Gardiner. I went and delivered the letter to Mr. Gardiner at the factory; and I took leave of the dewan of this factory, and went to my own house at Bomny. At the time I mounted guard, I did not consider Harro, the deceased, as my prisoner, nor had I any instruction by my predecessor, about him; I did not even see what kind of beating Callay and Harro had received, nor did Callay Khawn describe it to me; I had no conversation with Harro, but before I had taken my meal, I saw Harro very uneasy and restless: Damoo, a brother-in-law, attended upon him; he frequently called for water; I likewise saw him vomiting three times; I did not see him taken out of the room; I was much fatigued myself, and took my victuals and went to sleep; I was not present when tannah people went there to make investigation. This is all I know.

Sworn the day and year first above written, before me,
(Signed) C. F. Martyn, Magistrate.

The mark of
✕
Harrawn.

(A true copy.)
(Signed) A. H. Smith, Head Clerk.

(Signed) J. Gonsalves, Int^r.

The Information and Deposition of Thomas Paye, taken before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the twelfth day of June 1810; who, on his oath, saith; I am an assistant at Mr. Farrel's academy; I have known Mr. Gardiner nearly six years: he was formerly a midshipman and master's mate on board of His Majesty's ship Trident; since my acquaintance with him, he has frequently spoke to me of his family and connections in the United Kingdom, and that he himself was born in Ireland, though I do not know of what county he is.

Sworn the day and year first above written, before me,
(Signed) C. F. Martyn, Magistrate.

(Signed) Thos. Paye.

(A true copy.)
(Signed) A. H. Smith, Head Clerk.

The Examination of THOMAS GARDINER, taken before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the 12th day of June 1810.

THE said Examinant being charged on the oaths of Tucktee Beeva, Callay Khawn, Nobye Hapeef, Damo Gawzy, Manick Gawzy, Moozdeen Sirdar Jungley, and Hurraun, with the wilful murder of Harro; and the said Examinant being duly interrogated, says, I am not guilty of the above charge.

Taken the day and year first above written, before me,
(Signed) C. F. Martyn, Magistrate.

(Signed) Thos. Gardiner.

(A true copy.)
(Signed) A. H. Smith, Head Clerk.

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DEPOSITIONS in the Case of Mr. THOMAS CLARKE.

THE Information and Deposition of Hoolaus Mundle, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the twelfth day of June 1809; who on his oath, saith; I am the son of Mooncoor Bismas, late of Nundempore, in zillah Purneah; I am also an inhabitant of the aforesaid place. On Saturday, on the day of the full moon, in the month of Pôô last, the date I cannot recollect, my father came home on foot, as usual, from his duty as a teshildar, in the service of Surdharam Cayet, a talookdaur, of Mirpore, in the district of Purneah, at about a phurr of the day remaining, and told me, that he had been very much beaten by Mr. Clarke, because he had refused to receive advance for indigo plants. I know Mr. Clarke, and have seen him often at Cawhyah, in the district of Purneah, at his indigo factory; the European here present is the same Clarke; when my father mentioned to me his having been beaten, I immediately examined him with my hands, and both felt and observed swellings and contusions about one of his temples, his neck, breast, and both of his thighs, and a bruise below one of the calf of his legs; the situation he was in, and the pains in consequence felt, arose, as he said, from the treatment of Mr. Clarke; my father also said, that Dhroop Sing, Mr. Clarke's dewan, gave him four rupees in cash, and two cows valued at nine rupees, as an advance for indigo plants; my father desired me to take the four rupees, and to go before the magistrate of the district, and prefer a complaint in the fouzdarry court against Mr. Clark, in a regular way; and if he should get better, that he would hire a horse and go to Purneah himself; I begged my father to eat something; he said he could not swallow any thing, nor sit up, and besides which, he found himself very restless; upon his expressing himself to be so very unwell, I did not leave him, but continued sitting alongside of him until about the hour of midnight, when he became speechless and fell into convulsions, and began to throw out blood from the mouth and nose; at about two guries of the night remaining my father died; one gurrey before my father died, I sent Atma and Onoop to inform Mr. Clarke that my father could not live; when Atma and Onoop returned, they informed me that they met Mr. Clarke coming to see my father, and that when they gave him the information of my father's death, Mr. Clarke said, "my going is of no use," and he returned home; No sooner I found my father had expired, than I sent Nunnoo, another person, to inform Mr. Clarke that my father was dead; on the next morning at sunrise, I, with the assistance of fifteen or sixteen other persons, took up the dead body of my father and carried it to Purneah, in order to make a complaint against Mr. Clarke, but in the way I took the dead body of my father into the factory of Mr. Clarke, at Cawbyah, and represented the circumstances, and at the same time I observed, that my father had died in consequence of the beating he had received from him; Mr. Clarke paid no attention to my statement; he got into a buggy, and went to another factory at Phurkyee, which is at the distance of one full coss; upon seeing no kind of regard paid to us, I and my comrades took up the body, and followed him to Phurkya factory, and preserving a due distance from the factory, lodged the dead body on the ground, and waited for Mr. Clark, as I observed his buggy standing on the road; shortly afterwards, Mr. Clarke came out of the Phurkya factory and got into his buggy, and was proceeding towards Purneah; at a short distance from the last-mentioned factory, I laid hold of the bridle of the horse and expostulated with him, when, instead of his hearing me, he gave me a cut with his buggy whip; I did not for all that quit my hold of the bridle of the horse, but secured the bridle with my cloth, and, with the assistance of some of my comrades, I began to lead the horse towards Purneah; while Mr. Clarke continued in the buggy, at the distance of about a coss he dismounted from the buggy, and endeavoured to make his escape; I, with the assistance of my comrades, secured Mr. Clarke with our hands, and I requested him to get into the buggy; Mr. Clarke heard us, and got into the buggy, and on the next morning after sunrise we reached Purneah, and Mr. Clarke wrote a note and dispatched it to Mr. Cornish, the magistrate; shortly after, the magistrate sent some peons to conduct Mr. Clarke before him; I and my comrades, with the body, proceeded to the cutcherry, as directed by the magistrate's peons; sometime afterwards, the magistrate and Mr. Clarke came to the cutcherry, when the magistrate, with his darogah, examined the corpse, in the presence of several other European gentlemen, and on the same day the magistrate took down my deposition, and allowed me to put the corpse into the Ganges; before this was done, the magistrate proposed to me to cut open the corpse, to see what cause led to the death of my father; I remonstrated against it, saying I should lose my cast if it was done; I do not know if Mr. Clarke was put into confinement, because I did not see any person over him; on the eighth day of my arrival at Purneah, I was ordered by the magistrate to go to my house; I went and performed my father's sraud, or funeral obsequies, and after some days I was sent for again, and further examined; about a month and a half ago, I and the other witnesses were sent for, and ordered to proceed to Calcutta, under charge of two peons; Munkhondee, Mr. Clarke's dewan, in the presence of two witnesses, offered me a sum of money to settle the matter, with several other promises, such as making a rich man and his dewan, all of which I refused, and now only seek for justice.

Sworn the day and year first above written, before me,—

(Signed)

C. F. Martyn, Magistrate.

(A true copy.)

(Signed)

A. H. Smith, Head Clerk.

The

The Information and Deposition of Almah Mundle, taken upon oath before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the twelfth day of June 1809; who on his oath; saith, I am a peasant, and an inhabitant of Nimdenpore in zillah Purneah. One day of the full moon remaining, in the month of Poose last, on a Saturday morning, I went to receive advances from Mr. Clark, at his factory in Cabyah in zillah Purneah, and where I saw Monpoor the deceased. A dispute arose between Dhroop Sing and Mr. Clark's sircars, about the price of a pair of bullocks, and for which reason Monpoor refused to receive any advance himself, until he had consulted with Surdoe his employer and others, and rose up to go away. Dhroop Sing sent for him, and told him that he must receive advance, and desired him to set down until he had mentioned it to Mr. Clark. Dhroop Sing went and spoke something to Mr. Clark. Mr. Clark came out of his bungalow, and gave five or seven blows with his clenched fist, upon Monpoor's temple, neck, face, and other parts of his body, when Monpoor fell down on the ground; and then I saw Mr. Clark give Monpoor two or three kicks with the fore part of his foot. Mr. Clark had shoes on at the time, similar to those generally worn by gentlemen. I observed the kicks to strike about the thighs and private parts of Monpoor. I picked up Monpoor's turban when he fell down, and I gave it to him afterwards. Caroo Mundle began to call out "Doal, Doal;" and Mr. Clark ordered his servants to seize him, when Mr. Clark went into his bungalow and brought out a whip in order to beat Caroo Mundle; but when Caroo Mundle was brought before him he did not beat him, because Caroo Mundle promised to receive advance. During this time Monpoor got up, and was going towards his house, I saw Munkhondee, Mr. Clark's duwan, go up to Monpoor, and brought him back with some flattering words, and made him receive advance. Monpoor received four rupees in cash, and two bullocks valued at nine, in the whole thirteen rupees. Monpoor requested of me to conduct the bullocks he had taken to his house; I consented, and he went away. Shortly after, I went and conducted the bullocks, and in the way I met with his children, and told them to take the bullocks to Monpoor's, as they were brought by him; they took the bullocks away, and I went home. Before daybreak in the next morning, some of Monpoor's relations came to my house, and requested of me to go and acquaint Mr. Clark, that Monpoor could not live. I accordingly got myself ready, and almost instantly proceeded, and went to the factory at Phurkger, and informed Mr. Clark of the situation in which Monpoor was. Mr. Clark said he would go and see Monpoor, and got his buggy ready, and he proceeded in it; and I told him, that I could not run by the side of his buggy. Mr. Clark desired me to remain, and follow him. In the way, I met with Nunnoo, who informed me that Monpoor was dead. I observed Mr. Clark had gone into Cabyah factory; I went and informed him, that Monpoor was dead. Mr. Clark said, he could not help it. I went to Monpoor's house, and saw him lying dead. Shortly afterwards, I and the deceased's son, and several others, took up the corpse, with a resolution to take it to Purneah, and prefer a complaint against Mr. Clark. In the way, at a place called Khurentta we met with Mr. Clark, when Hollan's, the deceased's son, and some others, secured him; and the son said, "Sir, you have killed my father, and I shall not suffer you to run away, but will deliver you over to the magistrate; and likewise, I will produce the corpse of my deceased father before that gentleman." Mr. Clark once dismounted from the buggy, and attempted to run away, when the son of the deceased secured him, and repeated what I have already stated, that he would not suffer him to escape. Mr. Clark seeing no alternative, went into the buggy, and suffered himself to be conducted until he was taken charge of by the magistrate, Mr. Cornish, at Purneah, who examined the corpse of the deceased, and took down my deposition; and after some time I was sent down to Calcutta with others. The European now here present, Mr. Clark, is the very person who beat Monpoor in the manner I have described. I saw Monpoor a day before this occurrence took place, when he appeared to be in perfect good health.

Sworn the day and year first above written, before me,

(Signed) C. F. Martyn, Magistrate.

(A true Copy.) (Signed) A. H. Smith, Head Clerk.

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Almah Mundle.

The Information and Deposition of Caurroo Mundle, taken upon oath, before me Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the twelfth day of June 1809; who on his oath saith; I am a peasant, and live at Nundinpore in zillah Purneah. One day of the full moon remaining, in the month of Poose last, on a Saturday, in the morning, I accompanied Monpoor Biswas to Mr. Clark's factory, situated at Cunbyah in the above zillah, in order to receive advance for indigo plants. I, and Monpoor, on our arrival at the factory, went to Dhroop Sing, Mr. Clark's sircar, who requested us to receive fresh advances; upon which Monpoor Biswas said he had no bullocks to plough his ground, and therefore he could not receive fresh advance. Dhroop Sing sircar said, take bullocks from the sircar, meaning from Mr. Clark. Dhroop Sing sircar desired me to go and bring two bullocks from a number that were grazing in a field near to the factory. I accordingly went and brought two bullocks before Dhroop Sing sircar, who said the value of them was ten rupees; upon which Monpoor replied, that they were not worth more than seven, or at the most eight rupees. Dhroop Sing sircar said he would not take less than ten rupees. Monpoor refused taking the bullocks. Dhroop Sing sircar then offered Monpoor money. Monpoor said he could not take money, until he had consulted his son and Surdharam Cayet his employer. Dhroop Sing sircar told Monpoor, "You shall not be allowed to go away from here until you receive advance." In

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this interval, Mr. Clark came out of his bungalow, and went near Dhroop Sing sircar, and asked him the reason of the people's making a noise; upon which Dhroop Sing sircar told Mr. Clark, "Sir, Monpoor does not wish to receive advance." Mr. Clark also asked Monpoor the reason of his refusing to take advance; Monpoor said he could not receive any until he had consulted his son. Monpoor was then standing very near Mr. Clark, who upon hearing Monpoor's refusing to receive the advance, he, Mr. Clark, began to beat him with his clenched fist, about Monpoor's face, neck, and head, and Mr. Clark also kicked him about Monpoor's legs and private parts, which brought Monpoor instantly flat on his back to the ground; and while he was lying in this condition, I saw Mr. Clark give him a kick, which struck him on the private parts. Monpoor, upon receiving the kick, began to cry out "Father, Father." I began to cry out, "Daac Company, Daac Company," and ran at a distance. Mr. Clark gave orders to his servants to lay hold of him, when about seven or eight of them came and seized and carried me before Mr. Clark; and Mr. Clark brought out a whip to strike me with, but he did not do so, and he asked the reason for my making a noise. Mr. Clark after this, went into the bungalow, and I went away to my house, leaving Monpoor in the aforesaid factory. On the same evening, about one pohore, or eight o'clock, I went to the house of Monpoor, in order to see him; when I got into the house, I saw Monpoor laying down on a mat, and I told him to take his victuals. Monpoor said he could not, because he was not able to swallow any thing, and that he found his liver bursting. On Friday, the day before he was beaten, I saw him take his victuals as usual, twice, once in the morning and once in the evening; and besides which, he appeared to me to be in very good health. I left him and went to my own mansion, which is situated very near to that of Monpoor; very early, before daylight, I heard Monpoor's sons, Hoolans and Coskie, crying; I went and saw Monpoor in convulsions and bleeding much from his nose and mouth, and he expired at daybreak. On the following morning, I accompanied Monpoor's corpse, with several others, and carried it to Purneah; and in the way, at Khurentta, we saw Mr. Clark going in a buggy towards Purneah. Hoolans, the eldest son of the deceased, upon seeing him, secured him, by laying hold of the bridle of the horse, when I saw Mr. Clark give Hoolans a cut with the buggy whip he had in his hand at the time; nevertheless, Hoolans and Coskie, another person that was with us, secured the horse with their cloaths, by tying their cloaths with the bridle, and in this manner they led the horse, while Mr. Clark continued in the buggy. On the Monday following, in the morning, we arrived at Purneah; Mr. Clark in the way, once dismounted from the buggy, and attempted to run away; but the sons of the deceased and some others prevented his escaping; and when he saw no alternative he got into the buggy, and suffered it to be led until we arrived at Purneah, and delivered him over to the magistrate. Mr. Cornish, who examined the corpse, and took my deposition, and some time afterwards sent us to Calcutta. The European here present is Mr. Clark; and he is the same person that beat Monpoor at his factory at Cunbyah, as I have before described. I have every reason to suppose Monpoor died in consequence of the beating he had received from Mr. Clark; because I saw him throw up much blood from his mouth and nose; and besides, the deceased complained to me that he could not swallow any thing, and that he felt pains about his neck, breast, and other parts of his body.

Sworn the day and year first above written, before me.

(Signed) C. F. Martyn, Magistrate.

(A true copy.) (Signed) A. H. Smith, Head Clerk.

The Information and Deposition of Tillokee Mundle, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the fifth day of June 1800; who, on his oath saith; I am an inhabitant of Nundunpore, in zillah Purneah, and following the occupation of a peasant. One Saturday morning in the month of Poose last, the date I cannot recollect, in consequence of a message which I received from Mr. Clark's servant, to come and take advance, I, Atma Monpoor Mundul, and Cawroo Mundul, went to Mr. Clark's indigo factory, situated at Cawbyah in the above zillah; we went to Dhroop Sing, Mr. Clark's sircar, who desired us to wait a little, that he would give us our advances. One ghurry after we went to Munkhurdhe Mundul, a person in the service of Mr. Clark, who also desired us to wait for one ghurry, and that he would see our advances given to us. About half a ghurry after this conversation, Monpoor Mundle went to Dhroop Sing sircar, who desired Monpoor to choose two bullocks, and take them to him; Monpoor and Atma remained by the sircar, I and Cawroo Mundle went to the place where a number of bullocks belonging to Mr. Clark commonly graze in a field, and brought three into the factory, two for Monpoor, and one for myself. In the way I met Munkhurdhe Mundul, who asked me the reason and by whose order I was taking the bullocks away; I answered, that the sircar had desired me to take two bullocks before him; upon which I left the one, and carried two before the sircar, who said to Monpoor, the price of them is ten rupees. Monpoor offered to give eight rupees for them; the sircar refused to let him have them for that price; upon which I and the other person before mentioned, took our leave of the sircar, and said, we were going to our houses. The sircar said he would not suffer us to go away, unless we received advances and executed bonds for the same; Monpoor observed to the sircar, that he used to receive advances in the month of Assum (September) why now in Poose (December) and he refused to receive the advance, until he had seen his ground. The sircar went and informed Mr. Clark, who said to Monpoor, "you must take your advance to-day." Monpoor refused, as before; upon which Mr. Clark gave Monpoor five or six blows with his

his clinched fist about Monpoor's face and neck. On receiving the blows, Monpoor fell down on the ground, when I saw Mr. Clark likewise give to Monpoor two or three kicks with the fore part of his foot; he then had on shoes. I and my comrades that went with me on seeing Mr. Clark beating Monpoor, began to cry out, "Doie sahebka, doie sahebka;" when Mr. Clark asked the sircar who we were. The sircar said, that we were Monpoor's brother's; then Mr. Clark gave orders to some of his peons to lay hold of Cawroo Mundul, and bring him before him, Mr. Clark; Cawroo Mundul was seized and taken before Mr. Clarke; I likewise followed him, and assigned the reasons of our crying out for mercy, that is, because he had beat Monpoor Mundul. Monpoor Mundul was going away, when Munkhundhee, Mr. Clark's mundul, went up to him, and entreated of him very much with flattering words, to receive his advances; whereupon Monpoor Mundul came and received four rupees in cash, and two bullocks which had been valued at nine rupees, in all making thirteen rupees; and on the receipt of them he executed a Bengal bond, as usual. Monpoor and Atma went away from the factory, and I remained for one ghurry, and went away to my house after dusk. On the same night, after I had taken my victuals, I went to the house of Monpoor, which is at a short distance from mine. I found Monpoor lying on a mat, and his victuals ready; I requested of him to take his victuals, when he mentioned to me, that he found himself unwell, and his throat so swollen, that he could not swallow any thing; this, he said, was in consequence of the beating he has received from the sahib, meaning Mr. Clark. I remained with Monpoor for a short time, and went to my house. On the third day I was informed of Monpoor's death. I was afterwards taken to Purneah, before the magistrate, where I gave my deposition. I did not see the corpse of Monpoor. The European here present is called Mr. Clark, and he is the person that beat and kicked Monpoor in the manner I have before described.

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Tillokee Mundle.

Sworn the day and year before written, before me,

(Signed) C. F. Martyn, Magistrate.

(A true copy.)

(Signed) A. H. Smith, Head Clerk.

DEPOSITIONS in the Case of JAMES TICHBORNE.

THE Information and Deposition of Ram Golaum, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the fourteenth day of June 1809; who on his oath, saith; I have been in the service of Mr. Tichborne for five years past, as a gomastah, and continued in this capacity until the month of Assim, or September 1808, when, one day in that month, which I do not recollect, I was put under the charge of a peon of Mr. Tichborne's, and kept in his house until the next day, when Mr. Tichborne sent me, under charge of a peon, named Seetoram, belonging to the court of the magistrate Mr. Ahmuty, under an accusation of having made away with four thousand five hundred and seventy-two rupees. The magistrate called upon me to give an answer to Mr. Tichborne's complaint. I presented a petition to the Court, that an aumeen might be deputed to examine my accounts. The magistrate did not comply with my request, but sent two office peons with me back to Mr. Tichborne's house, to prepare my accounts, and then bring them to him; I accordingly returned to Mr. Tichborne's house, and desired his sircar, Raghoobunse Lall to make out the accounts. Mr. Tichborne would not permit him to do so, but beat him with his fist, and kicked him. In consequence of this treatment, the nephew of Raghoobunse Lall presented a dhurkhaust to Mr. Ahmuty, and another chuprasy was sent from the Court to prevent Mr. Tichborne from beating the persons who were preparing the accounts. During the time the accounts were preparing (about a month) I was kept under constraint in the bungalow of Mr. Tichborne, with the peons over me by day, and Mr. Tichborne's people by night. At last the accounts were got ready, and on Mr. Tichborne seeing that there was a balance in my favour, he ordered a number of his people, consisting of sepoy and others, to take charge of me, and to conduct me into his boat, which lay at Dum Duma ghaut, at Chomeckpore, about a coss distant from his bungalow. I remonstrated with Mr. Tichborne, and represented, that as I had given security to the Court, and the accounts were ready, I was desirous to go before the Court. He said, "Do you wish to have your employment? I will not discharge you at present, and will expend two thousand rupees to take away your life." This was in the presence of Seetaram, chuprasy, Emaum Ally, or Emaumbaugh, chuprasy, Basout Lall, Roghoobunse Lall, Jaddoopersaud, and Kullot. The chuprasies said to Mr. Tichborne, "you are taking Ram Golaum to Rajpore, what orders do you give to us?" Mr. Tichborne replied, I am taking him to Rajpore, do you go also. The chuprasies replied, we cannot go without the Judge's order. Mr. Tichborne then said, "what, are you talking about the Judge's order? You may go away." This was about the middle of Cartick, I do not recollect the particular date. Mr. Tichborne ordered me to be taken from the bungalow to Dhoom Dhooma ghaut, at Gorruckpore, where I was put on board an oulac. He himself came there shortly afterwards, and got into the boat, and we proceeded to Rajpore; four days after leaving Dhoom Dhooma ghaut we reached Rajpore, the distance being about twenty coss. At Rajpore, Mr. Tichborne desired me to procure him some dandies. I answered, that being in confinement, I could not procure any; whereupon Mr. Tichborne gave me several blows with his fists, and kicked me, and threw me

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me down; afterwards he tied me up by the hands to one of the bamboos which supported a pal or sail, as a cover which he had pitched on the bank of the river near the ghaut, at Rajpore. When I was tied up to the bamboo, Mr. Tichborne pulled my mustachios violently; then took a walking cane and threatened to poke into my face, but did not strike me with it. I remained tied up to the bamboo, as I have described, for about four guries, or about an hour and a half. He then untied me, and sent me on board the boat which lay at the ghaut. On the following day, the boats set off from Rajpore, and were proceeding to Calcutta; when we had proceeded about two coss, one of Mr. Tichborne's boats sunk. There were sixty boats laden with timbers, which Mr. Tichborne then desired to be anchored for the night. He then sent for me, and desired that I would pull the tow rope of his budgerow along with the dandies. Ojoodya Persand, and Raghoobunse Lall, were also desired to pull the tow rope of the budgerow; and Mr. Tichborne said to us, it is through the fault of you three that the boat has sunk; when Mr. Tichborne's budgerow arrived in the evening, at the place where the boat had sunk, Mr. Tichborne had sent me, Ojaadya Pursand, and Raghoobunse Lall, to drag the boat which had sunk; and we went into the water up to the middle, and endeavoured to drag the boat on shore, but were not able; night coming on, she was left there, and Mr. Tichborne kept us three in the same boat, with our wet clothes on, under charge of chuprasies; we remained sitting upon one of the four beams which were laid across the boat for the purpose of fastening the timbers to, all three wrapt in one blanket. It was very cold, and we continued there without victuals, and under charge of a chowkedar named Cutloot, who was sent in a dingy to watch us, that we might not make our escape. We were landed on the next morning, and after changing our clothes and taking some refreshment, we proceeded to Bhagulpore, where another boat sunk, and Mr. Tichborne again sent for me, and desired me to bring a boat in the room of the second boat which had sunk. I represented to him that I was in confinement on board the boat, and had no charge of any thing, how could I bring a boat? He then gave me one blow with his clenched fist in the cheek, and put me in charge of one of his sepoys. Two or three days afterwards, we arrived at Darraly, where Mr. Tichborne forcibly took possession of all my papers and accounts, and then he beat me with a rope. Mr. Tichborne went away, leaving me in charge of Mr. Robinson and Ram Sing, chuprasy, who conducted me from village to village; and when we arrived at Revel Gunge, a chuprasy of Mr. Ferguson, the magistrate of Chupra, and Mr. Tichborne, came on board of the boat where I was detained, and Mr. Tichborne delivered me over to the chuprasy of Mr. Ferguson, who took me before that gentleman on the third day, where I was maintained at the expense of that gentleman, and he took down my deposition, and sent me to Benares; Cuttoah, one of Mr. Tichborne's chuprasies, was placed over me at the time of leaving Goruckpore, and in whose custody I remained until I was brought to Durrally. I was put into the charge of Ram Sing, another peon of Mr. Tichborne, who brought me from thence to Revil Gunge, from whence I was taken, by the magistrate's peon, to Chupra.

Signed by *Ram Gholaum.*

Sworn the day and year first above written, before me,

(Signed) *Chas F. Martyn*, Magistrate.

(A true copy.)

(Signed) *A. H. Smith*, Head Clerk.

The Information and Deposition of Sookhloll Sookul, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the Town of Calcutta, at Fort William in Bengal, the fourteenth day of July 1809; who, on his oath, saith; That I am an hureara, a Brahmin by cast, and native of Jillalpore, in zillah Mozufferpore, within Soobha Behar. I have been little more than a year in the employ of Mr. James Tichborne, timber merchant, at Billeher in sircar Sarun, under the Sooba Behar, in the capacity of a hureara. I know Ramgolum; he is Mr. Tichborne's gomastah. In Cartick (October) last, Mr. Tichborne went to Goruckpore in zillah Goruckpore, in Soola Oude, under the English dominions, in order to institute a suit against his gomastah Ramgolum, who lived at Goruckpore aforesaid, and I accompanied Mr. Tichborne. He instituted a suit in Cartick (October) last, for five thousand five hundred and seventy-two rupees, against Ramgolum, before the Judge at Goruckpore, charging Ramgolum with having made away with this sum, and Ramgolum being sent for, while the Court moonshee was interpreting to Ramgolum, I understood that Mr. Tichborne wanted of the Judge either to cause Ramgolum to pay the money, or to put him in confinement; and that the Judge replied, that he could do neither, unless an investigation was made; and Ramgolum entered into particulars of the purchases he made for Mr. Tichborne, in his defence; whereupon the Judge directed a chuprassy, named Sitarum, to go with Ramgolum and see that the accounts of the mootsuddies of both the parties were compared, and to bring them to the Court; eight days after this, when the accounts were got ready, Mr. Tichborne directed his chuprassy, Catlay Khan, to carry Ramgolum to a budgerow on the Raplee, the Goruckpore river; upon which Sitarum, the Judge's chuprassy, said to Mr. Tichborne, I was deputed to have the accounts compared and closed; they are done so; you have directed that Ramgolum be carried to the budgerow. What do you direct me to do? Mr. Tichborne said, you will also go with me, I am going to Rajpore; the chuprassy said, get me orders from the Judge to go with you, and I will do so; upon which Mr. Tichborne said, I do not know intricate words (oolta poolta lat) about the Judge, go away; and Sitarum went away; and the same day Mr. Tichborne set off for Rajpore in the above Goruckpore zillah, and Ramgolum likewise proceeded in another boat; we arrived at Rajpore

Rajpore in about eight days, and on the day following our arrival at Mulla (a dundee) of a boat laden with timbers ran away, upon which Mr. Tichborne sent for Ramgolum, and required him to produce the mulla; he replied, you have confined me, from whence can I bring the mulla? upon which Mr. Tichborne struck Ramgolum with his clenched fist, kicked him, and pulled him by his whiskers, and bound him to the post of a temporary shed, which had been erected to keep off the sun for Mr. Tichborne's convenience, and Ramgolum continued bound to the post for about two guries; after which I was directed to untie him, and Kulloot hircara to watch over him on board the oolack; on the morning following, I was directed to go with the boats under my charge, and advance before the rest, and arrived at Bhaugulpore in the above zillah Goruckpore, after two days. After my arrival, Mr. Tichborne also arrived with the other boats. A boat had sunk one day before Mr. Tichborne's arrival, and he came and sent for Ramgolum, and required him to give a boat, instead of the one which had sunk; Ramgolum replied, he could not, as he had been all along in confinement; upon which Mr. Tichborne flew into a passion, and beat Ramgolum with his double fist. After this circumstance I went on the boats of which I had the charge, and thence proceeded to Darrowly in Sircar Sarim, within Soola Behar, from whence I came to Revil Gunge, in the above Soola Behar. I did not see any further ill-treatment received by Ramgolum, than what I have already related.

(Signed in the Nagree character, by the witness.)

Sworn the day and year before written, before me,

(Signed) *Charles F. Martyn*, Magistrate.

(A true copy.)

(Signed) *A. H. Smith*, Head Clerk.

The Information and Deposition of Kulloot, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace, in and for the town of Calcutta, at Fort William in Bengal, the 13th day of June 1803; who, on his oath saith; I am an hircara, and a native of Hansoopore, in the town of Goruckpore, in zillah Goruckpore, in Sooba Oude, in the English dominions. In October last I entered into the service of Mr. James Tichborne, in the capacity of a hircara, at Goruckpore aforesaid, where Mr. Tichborne had come upon some business; about twenty days after I had been in his employment he directed, one day, his hircara, Giridharee, and a sepoy in his service, named Bhowanee, in my presence, to take Ramgolaum, his gomasta, into custody, and carry him on board a boat which was on the Goruckpore river, called the Ruptee, upon which Ramgolaum said to Mr. Tichborne, you have had my accounts and papers explained to you, why will you ruin you? to which Mr. Tichborne replied, you want to get released; I will spend two thousand rupees, and take your life away, by dissolving you (gullae kemarda lega); after these words, Ramgolaum was taken to the boat by the two above-mentioned persons; I continued standing at the door of Mr. Tichborne's bungalow at Goruckpore aforesaid, when Sitaram, a chuprassy in the employment of the Judge of Goruckpore, said to Mr. Tichborne, "What are your orders as to me?" Mr. Tichborne said, I am going to Rajpore, do you also come along with me; the chuprassy Sitaram said, if you get the Judge's order I will go; to which Mr. Tichborne said, go away; I do not know the Judge, and the chuprassy went away; on the day following, Mr. Tichborne got on board of another boat, and went to Rajpore, for which place I also set off by land the same day, and arrived at Rajpore, which is about twenty coss from Goruckpore, in the above zillah of Goruckpore, after two days, and staid there for two days more, waiting Mr. Tichborne's arrival; and four days after his coming there, a mulla of a boat laden with timbers, belonging to Mr. Tichborne, ran away; upon which Mr. Tichborne sent for Ramgolaum aforesaid, from the boat where he was in custody, and required Ram Gholam to produce the mulla, Ram Gholam said, I have been in confinement; where can I bring the mulla from? whereupon Mr. Tichborne knocked Ram Gholam down, bound him to the post of a temporary shed, which had been made with boat sails to keep off the sun for Mr. Tichborne's use, and began pulling his whiskers, and menaced him with a rattan which Mr. Tichborne held in his hand, but did not strike him with it; some few days after this, I cannot say how many, Mr. Tichborne and all of us set off from Rajpore, and proceeded to the distance of about two coss in the Goruckpore zillah, when a boat laden with timbers grounded on a shoal; Mr. Tichborne made all his people, as also the said Ram Gholam, and one Ojaadea Persaud, and one Raghoobungsee Lall, pull the boat the whole day, in order to extricate it, but which not being effected, Mr. Tichborne directed me to keep the above-named three persons, Ram Gholam, Ojaadea Persaud, and Raghoobungsee Lall in custody, on a dingy, and I, as likewise one Callay Khan, hircara of Mr. Tichborne, kept them under watch the whole night in the dingy, and on the morning following they were put on a large boat under mine and the above Callay Khan's custody, and we proceeded for Bhagulpore, in the above zillah of Goruckpore, where on our arrival a boat sunk, and Mr. Tichborne had Ram Gholam taken to him, and he beat Ram Gholam with his clenched fist, saying, that the boat had sunk by his means; he then desired Bhowany, sepoy, to take Ram Gholam to the thanna, but the thannadar would not confine him; Chooly Lall, Mr. Tichborne's mutsuddy, went about four guries afterwards and brought him away; some few days after this, I cannot say how many, but suppose less than a month, we arrived at Durrally, under the chupra jurisdiction in zillah Sarun, within Sooba Behar, and in the evening Mr. Tichborne forcibly took all the papers and accounts from Ram Gholam's mutsuddies, Ojaadea Persaud and Raghoobungsee Lall, and also from Chooly Lall, Mr. Tichborne's mutsuddy; and the next morning Mr. Tichborne sent for Ram Gholam and his two mutsuddies, and

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20 July
1810:—
Offences
committed
in the inte-
rior of the
Country.

asked them for some paper; I do not know what paper; I do not know what answer was given; but Mr. Tichborne beat Ram Gholam and Raghoo Bunsee Lall with a rope, after which I was relieved by Ram Sing, chuprassy, and Mr. Tichborne sent me to Patna, on a boat laden with timbers.

Sworn the day and year first above
written, before me,

(Signed)

C. F. Martyn, Magistrate.

The mark of

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Kulloo.

(A true copy.)

(Signed)

A. H. Smith, Head Clerk.

The Information and Deposition of Bheekook, taken, upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the 14th day of June 1809; who, on his oath, saith; I have been four years in the employment of Mr. Ja^s Tichborne, timber merchant at Belliher, in Surcar Sarun, within Sooba Behar, in the capacity of a bullock driver; and, before that time, I used to be employed in tillage, and other rural business. I am an Aheer by cast, and native of Cuttar, in zillah Gorruckpore. In Cartick last, when I went for my salary to Gorruckpore, in zillah Gorruckpore, in Sooba Oude, under the English dominions, where Mr. Tichborne had gone, Mr. Tichborne told me, that he could not pay it to me, because Ram Golaum, his gomastah, and Rugbunselall, his mootsuddy, were not at Gorruckpore, but at Rajpore. Two days after this I went to Rajpore; and while I was there, I saw, one day, Mr. Tichborne beat Ram Golaum; when he first kicked, then knocked him down by shoveing him in the neck, and bound him to a post belonging to a shed, which had been erected by Mr. Tichborne; and Ram Golaum continued thus bound for about two ghurries, after which he was untied. Some days after this, I do not know the length of time that had elapsed, we arrived at Derrawly, in Surcar Sarun, within Sooba Behar, where I saw, upon one day, while standing on shore, Mr. Tichborne hold a small written paper in his hand, on board the budgerow, which was at the distance of about twenty or twenty-five cubits from me, and say to Ramgolaum and Rug Cunselott, who were also in the same budgerow, what sort of paper is this? (i.e. Keysa Kajeezhey) shewing the paper to them, and beating them at the same time with a rope; whereupon Ramgolawm said, "I do not know how to read and write; if one was to read it over to me, I could then say what paper it is." Seeing and hearing this, I went away from thence, and did not see any further violence used by Mr. Tichborne on Ramgolaum. Ramgolaum was under confinement, as I saw him at Rajpore aforesaid, and Bhaugulpore in Gorruckpore above mentioned, and at the said Derrowly, always under charge of peons, who watched him at his bathing time, and at other avocations, and necessary calls.

Sworn, the day and year first above written, before me,

(Signed)

Cha. F. Martyn, Magistrate.

The mark of

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Buhkoopk.

(A true copy.)

(Signed)

A. H. Smith, Head Clerk.

THE Governor General in Council having taken the foregoing cases into mature consideration, resolves, that the licences for residing in the interior of the country, held by the following persons, be withdrawn:

Mr. J. L. Turner.

R. S. Douglas.

T. Gardiner.

T. Clark.

Ordered, That the necessary information be transmitted to the Magistrates of Tirhoot, Sarum, Nuddiah, and Puneah respectively.

Ordered, That the Company's attorney be directed to report, whenever the period of imprisonment to which Mr. Tichborne has been sentenced, may expire. His Lordship in council will then pass such further orders respecting that person as may appear to Government to be proper.

Ordered, That a copy of such parts of the above Depositions, in the case of Mr. Douglas, as relate to the establishment of a haut by Mr. Moran, be transmitted to the Board of Revenue, with directions to make the necessary enquiries on the subject, and report to Government the result.

The following Circular Order was transmitted to the several Magistrates throughout the provinces, on the 13th instant:

Further Ex-
tracts from
Bengal Judi-
cial Cons.
20 July
1810:—
Offences
committed
in the inte-
rior of the
Country.

(Circular.)

To the Magistrates.

Sir,

THE attention of Government has recently been attracted in a particular manner to abuses and oppressions committed by Europeans, who are established as indigo planters in different parts of the country. Numerous as those abuses and oppressions have latterly been, the Right Honourable the Governor General in Council is still willing to hope, that this imputation does not attach to the character of the indigo planters generally, considered as a body or class of people. The facts, however, which have recently been established against some individuals of that class, before the Magistrates and the Supreme Court of Judicature, are of so flagrant a nature, that the Governor General in Council considers it an act of indispensable public duty, to adopt such measures as appear to him, under existing circumstances, best calculated to prevent the repetition of offences, equally injurious to the English character and to the peace and happiness of our native subjects.

The offences to which the following remarks refer, and which have been established beyond all doubt or dispute against individual indigo planters, may be reduced to the following heads:

- 1st. Acts of violence, which, although they amount not in the legal sense of the word to murder, have occasioned the death of natives.
- 2d. The illegal detention of the natives in confinement, especially in stocks, with a view to the recovery of balances alleged to be due from them, or for other causes.
- 3d. Assembling in a tumultuary manner the people attached to their respective factories and others, and engaging in violent affrays with other indigo planters.
- 4th. Illicit infliction of punishment, by means of a rattan or otherwise, on the cultivators or other natives.

You must, of course, be sensible, that it is your bounden duty to bring every act of violence of the above nature to the knowledge of Government, and under the cognizance of the Supreme Court of Judicature. In order, however, to prevent, as far as depends on the Executive Government, the repetition of any offence of that nature, the Governor General in Council desires, that you will particularly attend to the following instructions:

First. You will take the necessary measures to ascertain without loss of time, whether any of the indigo planters, resident in the district under your charge, keep stocks at their factories; and, if so, you will require them immediately to destroy the stocks. Should any hesitation occur on the part of the indigo planters, in complying with this requisition, you will report the circumstance to Government, when the Governor General in Council will order such person to quit the district, and repair to the Presidency.

Second—Without encouraging vexatious and litigious complaints, you will exert yourself to prevent the practice Government has reason to believe is too prevalent on the part of the indigo planters, of inflicting illegal corporal punishment on the ryots and others. Whenever cases of this nature may occur, which may not appear to be of so aggravated a nature as to form the ground of a criminal prosecution in the Supreme Court of Judicature, you will report the facts to Government, in order that his Lordship in Council may take into his consideration the propriety of withdrawing the licence which the offender may have obtained, for residing in the interior of the country.

Third—As opportunities may arise of personal communication with the indigo planters, you will endeavour to impress on their minds, the firm determination which the Governor General in Council has adopted, not only uniformly to prosecute all offences of the above description, which can properly be brought under the cognizance of the Supreme Court, but likewise to exercise to the utmost extent, the powers possessed by the Governor General in Council, of preventing the residence of any European in the interior of the country, who shall not conform to the spirit of the present resolutions of Government.

Fourth.—Should it occur to you that any other measures can be adopted, calculated for the attainment of the important objects above noticed, you are desired to submit your sentiments on the subject to Government.

I am, &c.

Council Chamber, }
the 13th July 1810. }

(Signed) Geo. Dowdeswell.
Secretary to Government, Judicial Department.

On the 13th instant, Copies of the above Order were transmitted to the Nizamut Adawlut, and to the several Provincial Courts, with directions to afford their aid to the full extent of the legal powers vested in those Courts, in giving effect to the resolutions of Government contained therein.

There

No. 5.
Further Ex-
tracts from
Bengal Judi-
cial Cons.
20 July
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Offences
committed
in the inte-
rior of the
Country.

There being grounds to apprehend, that many of the manufacturers of indigo are in the habit of compelling the ryots to receive advances for the cultivation of the indigo plant;

Ordered, That the following Supplementary Orders be transmitted to the several Magistrates throughout the Provinces:

(Circular.)

To the Magistrates.

Sirs,

In continuation of the Orders of Government of the 13th instant, I am directed to acquaint you, that the Right Honourable the Governor General in Council has reason to believe, that European indigo planters are in the habit of obliging the ryots who reside in the vicinity of their respective factories, to receive advances, and of adopting other illicit and improper means to compel them to cultivate indigo. You are accordingly directed to report all instances of that nature which may come to your knowledge, and which you may consider to be founded in fact, to the Governor General in Council, in order that Government may take into its consideration the expediency of withdrawing the offender's licence to reside in the interior of the country, and at the same time adopt such other measures as the circumstances of the case may appear to require.

I am, &c.

Council Chamber, }
the 20th July 1810. }

(Signed) Geo. Dowdeswell,
Secretary to Government, Judicial Department.

Ordered, That Copies of the above Supplementary Orders be transmitted to the Nizamut Adawlut, and the several provincial Courts, in continuation of the Orders of the 13th instant.

—No. 6.—

Copy of a LETTER from the Governor General in Council, to the Secret Committee of the Court of Directors, dated 2 November 1807 ; relating to THE MISSIONARIES.

To the Honourable the SECRET COMMITTEE of the Honourable the Court of Directors.

HONOURABLE SIRS,

WE deem it proper to avail ourselves of the dispatch of the honourable Company's extra ship the General Stuart, to report to your honourable Committee, our Proceedings on the subject of a Pamphlet, printed in the Persian language at the press of the Society of Missionaries established at Serampore ; purporting to be an address to all persons professing the Mahomedan religion ; which we had reason to apprehend had obtained circulation in the city of Calcutta ; and which contained the most direct and unqualified abuse of the principles and tenets of that religion, and of its Founder. After having regularly related the whole course of our proceedings on this occasion, we shall submit to the consideration of your honourable Committee, such remarks in addition to those recorded on our proceedings, as the subject appears to us to render necessary.

2. The pamphlet in question was delivered to the secretary in the secret, political, and foreign departments, by the professor of Arabic and Persian in the College of Fort William, who received it from the chief native preceptor in that department ; who stated, that it was put into his hands by the son of a Mogul merchant residing at Calcutta, with a request that he would prepare an Answer to it, with a view to vindicate the credit of their common religion.

3. Enclosed we have the honour to transmit a translation of such parts of the pamphlet, as relate to the character of the Mahomedan religion, and of its Founder.

(No. 1.)

see page 47, infra.

4. On a perusal of the above-mentioned document, we recorded the following Observations and Resolutions :—That the language of that extract was in the highest degree injudicious and improper ; and exclusively calculated to irritate the minds, and inflame the religious zeal of the class of musselmen to whom it is addressed. That the public safety, therefore, might seriously be endangered by the diffusion of this pamphlet. That the public faith had repeatedly been pledged, under the express injunctions of the Legislature, to leave the inhabitants of these dominions in the full, free and undisturbed exercise of their respective religions. That to permit the issue and diffusion of a publication containing the most direct and unqualified abuse of the principles and tenets of the religion of the country, proscribing its ordinances, and vilifying its founder and professors, would be a departure from that principle of toleration which the Legislature had prescribed, which this Government had uniformly professed, and to which its faith was solemnly pledged.

5. That it was the duty of Government, therefore, with a view both to the public safety and to the maintenance of public faith, to oppose the circulation and prevent the revival of such inflammatory publications. That the full extent of the measures which it might be necessary to adopt for this purpose, must depend upon the receipt of further information with regard to the manner and the degree in which the pamphlet had been circulated ; but that the object of immediate urgency was to suppress the further diffusion of it. That with this view, it would be proper immediately to apply to the authority of the Governor of Serampore (the press of the Missionaries being established under the license and protection of the Danish government) requesting his Excellency to prohibit the issue of any more copies of the pamphlet in question, or of any other publication of a similar description ; to require the Missionaries to deliver up all the remaining copies of it ; and to ascertain from the Missionaries to what extent, and in what manner, the pamphlet had been circulated, with a view to enable this Government to counteract its dangerous effects in those places within the limits of the British authority or influence to which it might have been conveyed.

6. In conformity to the preceding resolutions, we addressed a Letter to his Excellency the Governor of Serampore, of which a copy is enclosed for your honourable Committee's information.

(No. 2.)

7. We at the same time directed the secretary to send for the Rev. Mr. Carey (the principal member of the Society of Missionaries, and at present holding the situation of Professor of the Sanskrit and Bengallee languages in the College of Fort William) to interrogate him on the subject of the pamphlet, and to require him to employ every means in his power for the purpose of preventing the further diffusion of the pamphlet, and of withdrawing it from circulation.

8. We have the honour to transmit, enclosed, a copy of the Secretary's Report of his consequent conference with Mr. Carey.

(No. 3.)

No. 6.

Letter from
Govt Genl
2 Nov. 1807;
relating to
Missionaries.

9. Your honourable Committee will observe, that Mr. Cary disclaimed all knowledge of the pamphlet in question; stating, that although the Society of Missionaries was in the habit of issuing publications on the subject of the religion of the Hindoos, calculated to convince them of its errors and to convert them to Christianity, the society systematically avoided the language of irritation and abuse, of which he admitted the impropriety and inutility. That he was convinced, that although the pamphlet in question had certainly issued from the press of Serampore, and must consequently be supposed to have undergone the revision of one or more of the Society of Missionaries, none of the society were apprized of the improper language which was introduced into it; observing, that none of them being conversant in the Persian language, they might not have been aware of the force of the expressions which it contained; and that the pamphlet might probably be the composition of one of their proselytes, among whom were a few originally of the Mahomedan faith. Your honourable Committee will further observe, that Mr. Carey was ready to engage (if such should be the pleasure of Government) that no publications should issue from the press of Serampore, without being previously approved by Government; observing, that the Missionaries were disposed to conform, in all respects, to the wishes of Government; and expressing at the same time a hope that it was not our intention to prohibit them from endeavouring to convert the natives by the only means which they were disposed to employ—fair argument and persuasion.

(No. 4.)

10. From a Letter received from Mr. Carey, subsequently to this conference, (a copy of which Letter is also enclosed) it appeared that the pamphlet had been printed about two months; that about 300 copies had been distributed in the vicinity of Calcutta, and that no copy had been sent to any part of the country.

(No. 5.)

11. We have further the honour to transmit, enclosed, a copy of the Reply of his Excellency the Governor of Serampore to our Address above referred to; from which your honourable Committee will observe, that his Excellency engaged that the remaining copies of the pamphlet should be delivered up, and that similar publications should not be permitted to issue from the press of Serampore.

(No. 6.)

12. At our consultation in the secret department of the 8th of September, the Secretary reported to us, that having desired Mr. Blaquiere, one of the magistrates of the town of Calcutta, to adopt measures with a view to ascertain the proceedings of the Missionaries in disseminating pamphlets of the nature of that which was submitted to Government at the last meeting of council and in meetings stated to be held within the town of Calcutta, for the purpose of exposing to the native inhabitants the errors of their religion, and of persuading them to adopt the Christian faith, Mr. Blaquiere had attended the Secretary's office, and informed him, that being apprized of the practice adopted by the Missionaries, or their converts, of preaching to the multitude every Sunday at a house in the city engaged for that purpose, he had directed a person in his employ to attend one of those meetings, and that Mr. Blaquiere had delivered to the Secretary a Memorandum of what passed at that meeting, drawn up by the person who attended it. A copy of that Memorandum, we deem it proper to enclose; the Secretary proceeded to state from Mr. Blaquiere's verbal report, that Mr. Blaquiere had at the same time directed a Brahmin in his service to attend the Missionaries, and under a pretended desire to become a convert, to obtain copies of any publications which had been issued under the authority of the Missionaries; that the Brahmin accordingly waited on the Reverend Mr. Ward, one of the society, residing principally at Calcutta, and that Mr. Blaquiere had delivered to the Secretary eleven pamphlets written some in the Bengallee, some in the Hindostanny language, which, on that occasion, the Reverend Mr. Ward had delivered to the Brahmin.

13. The Secretary reported, that those pamphlets for the most part consisted of strictures upon the characters of the Hindoo deities, tending to place them in a hateful or disgusting light, and to deduce from those strictures the fallacy of the Hindoo mythology; of exhortations to the Hindoos, to abandon their idolatrous worship and embrace the doctrines of Christianity; of the translations of the Psalms of David and other parts of Scripture. That two of those pamphlets, however, one in the Bengallee, the other in the Hindostanny language and character, were addressed exclusively to the class of Mahomedans, and contained the same or similar abuse of the doctrines, books, and founder of the Mahomedan religion, as was contained in the Persian Pamphlet laid before the Board at the last meeting of council, and that these two pamphlets were stated to have been printed at Serampore in the year 1806.

14. Having taken into consideration the preceding communications, we recorded the following Observations and Resolutions: That the publications in question, and the practice of preaching to the multitude, described by Mr. Blaquiere, were evidently calculated to excite among the native subjects of the Company a spirit of religious jealousy and alarm, which might eventually be productive of the most serious evils: That the distribution of such publications, and the public preachings of the Missionaries and their proselytes at the very seat of Government, were acts tending to indicate that the proceedings of the Missionaries, in vilifying the religions of the country, were sanctioned and approved by the supreme authority; that the prevalence of such an impression would both augment the danger, and render more difficult the application of a remedy; that if these proceedings should be suffered to continue, until their effects should be manifested in the clamour and discontent of the people, any measure then adopted to arrest the progress of the evil, would necessarily appear to be the result of apprehension. That it was of the highest importance, therefore, to adopt, without delay, such measures as were calculated to

preclude a conjuncture so injurious to the authority and dignity of Government, and so hazardous to the prosperity and even the security of these dominions; and finally, that the obligation to suppress within the limits of the Company's authority in India, treatises and public preachings offensive to the religious persuasions of the people, was founded on considerations of necessary caution, of general safety, and national faith and honour.

That with this view we deemed it necessary to direct that the practice of public preachings at the house employed for that purpose by the Missionaries in the town of Calcutta, should be immediately discontinued; and to prohibit the issue of any publications from the press superintended by the Society of Missionaries, of a nature offensive to the religious prejudices of the natives, or directed to the object of converting them to Christianity; observing, that whatever might be the propriety of exposing the errors of the Hindoo or Musselman religion, to persons of those persuasions, who should solicit instruction in the doctrines of the Christian faith, it was contrary to the system of protection which Government was pledged to afford to the undisturbed exercise of the religions of the country, and calculated to produce very dangerous effects,—to obtrude upon the general body of the people, by means of printed works, exhortations, necessarily involving an interference with those religious tenets, which they considered to be sacred and inviolable.

16. That the press established at Serampore, being intended for the promulgation of works within the limits of the Company's dominions, it became indispensably necessary that its productions should be subject to the immediate controul of the officers of Government; that with this view the Missionaries should be required to remove their press to the Presidency, where the same controul that is established over presses sanctioned by the Government, could be most effectually exercised.

17. That it was, moreover, advisable to obtain from the Reverend Mr. Carey information with regard to the manner and places in which the pamphlets and treatises above mentioned, or any others of a similar description, which might not yet have come under the observation of Government, had been distributed; and also to require the Missionaries to employ every effort in their power to withdraw them from circulation.

18. In conformity to the preceding Observations and Resolutions, a Letter, of which the enclosed is a Copy, was addressed to the Reverend Mr. Carey, for the notice and guidance of the Society of Missionaries. A Letter, (of which a Copy is also enclosed) was at the same time addressed by our direction to the magistrates of Calcutta, apprising them of our determination to prohibit the practice of public preaching in the town of Calcutta by the Missionaries or their converts, and of the grounds of that determination.

19. Subsequently to these proceedings we received from his Excellency the Governor of Serampore, a further Report of the measures which his Excellency had adopted in consequence of the representations contained in our Address of the 1st of September. His Excellency at the same time transmitted a copy of a Memorial addressed to him by the Society of Missionaries, in reply to his Excellency's communication to the Society, on the subject of the Persian Pamphlet. Copies of both those documents, form enclosures in this dispatch.

20. Your honourable Committee will observe, that agreeably to our request, his Excellency required the Missionaries to deliver up all the remaining copies of the Persian Pamphlets, a requisition with which the Missionaries readily complied.

21. Your honourable Committee will observe in the Memorial of the Missionaries, a becoming acknowledgment of regret at the unintended introduction into the pamphlet in question, of expressions calculated to irritate the minds of the persons to whom it is addressed, and a statement of the circumstances which occasioned the publication of that objectionable pamphlet.

22. In our reply to the Letters of his Excellency the Governor of Serampore, after expressing the sense which we entertained of the attention to our application manifested by his Excellency, and of the disposition of the government of Serampore to meet the wishes of this Government, we noticed the additional information, which, subsequently to the date of our first Address to his Excellency, we had received relative to the diffusion of printed pamphlets in the Bengallee and Hindostanny languages, similar to the Persian Pamphlet, and to the practice of public preaching in the town of Calcutta, on the topics which formed the subject of those pamphlets, and communicated to his Excellency the measures which in consequence we had deemed it our duty to adopt. We observed to his Excellency, that the works printed at the press of the Missionaries, were expressly intended for promulgation within the limits of the British dominions, and that even the operations of the press were principally supported by the aid and encouragement afforded by the Asiatic Society and the College of Fort William: That the establishment of it at Serampore had no reference to the circulation of its productions within the limits of that colony, but that the press was exclusively directed to the same purposes to which it would be applied, if established at this Presidency; that under these circumstances, therefore, it appeared to us to be obviously regular, as well as highly expedient, that the press of the Missionaries should be placed under the immediate controul of this Government, in the same manner as the presses established at Calcutta; and that with this view we had signified to the Missionaries our expectation that the press should be brought within the sphere of our direct authority, by being transferred to this Presidency; we remarked at the same time, that this arrangement was entirely unconnected with the slightest doubt of his Excellency's disposition to exert his authority in preventing

No. 6.

Letter from
Gov^r Gen^l
2 Nov. 1807;
relating to
Missionaries.

(No. 7.)

(No. 8.)

(No. 9.)

(No. 10.)

No. 6.
Letter from
Gov^r Gen^l
2 Nov. 1807;
relating to
Missionaries.

(No. 12.)

(No. 13.)

(No. 14.)

preventing the issue of improper publications; that it was founded exclusively on those general principles which rendered it the duty of every government to reserve to itself the power of restraining irregularities within the limits of its own dominion.

23. For your honourable Committee's more detailed information, we have the honour to transmit, enclosed, a copy of our Address to the Governor of Serampore, of which the substance is above stated. (No. 11.)

24. A copy of the Rev. Mr. Carey's Reply to the Letter addressed to him by our authority, is also enclosed.

25. In consequence of the measures which, on this occasion, the obligations of our public duty had compelled us to adopt, the Society of Missionaries addressed to the Governor General a Memorial, containing a detailed statement of their situation, circumstances, views and proceedings, since the period of their establishment in this country, and soliciting the revocation of the order for the removal of the press from Serampore to this Presidency, on the ground of the serious injury which the society would sustain from the execution of that order.

26. We shall have the honour of stating to your honourable Committee, in a subsequent part of this despatch, such observations on this Memorial, as the tenor of it appears to render necessary; in the meantime we beg leave to refer your honourable Committee to the enclosed Copy of it, and also to a copy of his Excellency the Governor of Serampore's Reply to our Letter of the 15th September, (of which the substance has been stated in a preceding part of this despatch) soliciting the revocation of the order for the transfer of the press to Calcutta.

27. Your honourable Committee will observe, that the Governor of Serampore refers in his Letter to an enclosed English version of the pamphlet in the Bengallee language, of which the Persian Pamphlet was intended (as appears by the Memorial of the Missionaries addressed to his Excellency) to have been a translation, although, as observed by the Missionaries, the person employed in translating it, had materially departed from the original text.

28. His Excellency has observed, that on a perusal of the English version of the Bengallee Pamphlet, it did not appear to him that the expressions contained in it were so offensive to the religious prejudices of the natives as those contained in the Persian translation, and that the former had been in circulation since the latter end of the year 1804, or the beginning of the year 1805. His Excellency has further observed, that the Missionaries had been in the habit of preaching publicly in the town of Calcutta for nearly five years past, in which time no notice had been taken of their proceedings, nor, to his Excellency's knowledge, had any disturbance been the consequence of it.

29. With respect to this particular publication in the Bengallee language, although several of the most offensive epithets and expressions applied to Mahommud, to the religion, and to the Koran, which appear in the Persian Pamphlet, are omitted in the former, yet the general substance of the language is the same in both, and is certainly of a nature to excite the indignation and fanaticism of the bigoted class of Mussulmans; that it has not attracted the same notice as the Persian Pamphlet, may be ascribed to the language in which it is written; the oral language of Bengal being familiar only to a few of the lower class of Mussulmans, who are natives of the province, and of them a very small proportion are capable of reading that language.

30. The Persian language however being the general medium of correspondence throughout India, a work printed in that language, is open to the perusal of all ranks of people, and we deem it highly fortunate that the circulation of it has been limited to the town of Calcutta and its vicinity, and that means were afforded to us of seasonably restraining a more extensive diffusion of it.

31. With reference to the observation of the Governor of Serampore, regarding the practice of public preaching, it may be proper to state, that the late Governor General Sir George Barlow, having received information that one of the Society of Missionaries, was in the habit of preaching publicly in the streets of Calcutta, in terms abusive of the Hindoo religion; and that on several occasions the populace had manifested signs of irritation, and on one occasion especially, had proceeded to acts of violence, deemed it his duty to prohibit the Missionary from the prosecution of that practice.

32. We suspend the farther remarks, which we deem it necessary to state to your honourable Committee, regarding the tendency of publications such as have been described, and of the practice of preaching publicly in the city of Calcutta, on subjects offensive to the religious persuasions of the natives, for the purpose of concluding the narrative of our proceedings on the present.

33. On a consideration of the circumstances stated by the Society of Missionaries, in their Memorial addressed to the Governor General, relative to the injury to which that Society would be exposed by transferring the press from Serampore to Calcutta, and under the influence of a desire to conform to the wishes of the Danish government, we resolved to revoke our requisition for the removal of the press. Adverting, however, to the obvious necessity of establishing a controul over the publication of works intended for circulation within the territories subject to the British authority, we still deemed it proper to require the Missionaries to submit to the inspection of the officers of Government, works of the above description previously to their publication.

34. In

34. In communicating this resolution to his Excellency the Governor of Serampore, we expressed our conviction that the Missionaries would be disposed to observe the restrictions imposed upon them by his Excellency, and by this Government, relative to the publication of works offensive to the religious prejudices of the natives; observing, however, that as the judgment of the Missionaries respecting the tendency of works which they might desire to publish, and which were intended for circulation within the territory subject to the British authority, might possibly differ from our own, we were satisfied that his Excellency would concur in the propriety of subjecting publications of that description to the controul of the British Government.

No. 6.
Letter from
Gov^r Gen^l
2 Nov. 1807;
relating to
Missionaries.

35. We further stated to his Excellency, that we were fully convinced of the rectitude of the intentions of the Society of Missionaries, and that the precautions which we had deemed it necessary to adopt against the unlimited employment of the press, proceeded exclusively from the duty imposed upon Government, of reserving to itself the authority to determine what publications might or might not expose the public tranquillity to hazard, or involve a violation of public faith, instead of leaving the decision of such important questions to the judgment of others.

36. A copy of the letter which we addressed to his Excellency on that occasion, and also a copy of the corresponding communication to the Reverend Mr. Carey, as the chief member of the Society of Missionaries, are enclosed for your honourable Committee's more detailed information.

(No. 15.)
(No. 16.)

37. We have since received a letter from the Reverend Mr. Carey, of which a copy is enclosed, expressing the gratitude of the Society of Missionaries for the revocation of the order for the removal of the press, and communicating the ready acquiescence of the Missionaries in the requisition to submit to the inspection of Government, works intended for circulation within the British territories, previously to their publication.

(No. 17.)

38. We now proceed to state to your honourable Committee such further observations as appear to be necessary, with reference to the general subject of this despatch, and especially to the contents of the Memorial addressed to the Governor General by the respectable Society of Missionaries.

39. We have great satisfaction in acknowledging the temperate and respectful spirit of that Memorial, and in expressing our entire conviction of the correctness of the statement which it contains, relative to the motives and objects of the zeal of the Missionaries for the propagation of the sacred doctrines of Christianity; and our duty as guardians of the public welfare, and a consentaneous solicitude for the diffusion of the blessing of Christianity, merely require us to restrain the efforts of that commendable zeal within those limits, the transgression of which, would in our decided judgment expose to hazard the public safety and tranquillity, without promoting its intended object; and would be incompatible with a just adherence to the obligations of political interest and of public faith, in the degree in which both are involved in the unequivocal toleration of every religious sect among the inhabitants of these dominions.

40. The Missionaries have related the progress and result of labours similar to their own, during a long course of years, and from the negative fact, that the zeal of the propagandists has not on any occasion produced the dangers which we apprehend, have inferred, that neither the publication of the works which have attracted our attention, nor the practice of public preaching, is calculated to produce them. But two material circumstances, which have escaped the observation of the Missionaries, appear to invalidate the force of this conclusion.

41. While the British Government in India continued to be a subordinate power, the efforts of the Missionaries in the work of conversion, were not likely to excite among the natives of India any apprehension either of the disposition or the power of the British Government to impair the stability of the prevailing systems of religion: possessing under the general system, and even under the specific laws of the British Administration, every degree of security for the free and undisturbed exercise of their religious ceremonies and devotions, they had no cause to connect the proceedings of the Missionaries with the acts of the Government; and, deprived of that connection, the mere personal labours of the former in the work of conversion, were inadequate to produce a general sentiment of religious jealousy and alarm, more especially because the efforts of the Missionaries were almost exclusively directed to the conversion of the class of Hindoos, who are free from that spirit of bigotry and fanaticism which distinguishes the class of Mahomedans.

42. In the present ascendancy of the British power in India, however, the natives may naturally be led to apprehend that the augmented efforts of the Missionaries exercised under the immediate protection of the Government, are supported and encouraged by its authority. They may be induced to imagine that the possession of unrivalled power, of a dominion extending over a great proportion of the continent of Hindoostan, and of an ascendant influence or controul over all the primary states of India, may suggest the accomplishment of an object, which the comparative inferiority of our power and influence had hitherto excluded from the contemplation of Government,—the gradual substitution of its religion for the actual religions of its subjects. Under these circumstances, therefore, the labours of the Missionaries are calculated in a far greater degree to excite alarm among our native subjects than they were at any former period of time.

No. 6. 43. The second point to which we have alluded, is the prosecution of the labour of conversion by the means of the press. Until works on religious topics addressed to the natives of India, were published in their vernacular language, the proceedings of the Missionaries were not of a nature to attract notice beyond the limits of their personal communication; but when works, expressly directed to the object of subverting the religions of the country, are published in languages intelligible to the natives, the proceedings of the Missionaries must attract attention in proportion to the promulgation of these printed works, and there is just reason to apprehend that a general spirit of irritation and alarm may consequently be excited in the minds of the native inhabitants of India.

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Missionaries.

44. We have already stated the cause which, in our judgment, has prevented such a consequence of the publications issued in the language of Bengal, and addressed to the class of Mahomedans. It is from the bigotry of that class, that the danger which we have described is principally to be apprehended; but even the jealousy and alarm of the Hindoos may be excited by a more general diffusion of publications calculated to subvert the foundation of their religious persuasions; and works of the latter description, combined with similar attacks upon the credit of the Mahomedan faith, may reasonably be expected to create in the minds of both classes, but especially of the Mussulmans, an apprehension of a systematic design to eradicate both the Hindoo and Mahomedan religion. These publications issuing from a press considered to be established under the protection and authority of the British Government, may readily be supposed to have been sanctioned by that authority, and the project of subverting the religions of the country would consequently be ascribed to the Government itself; and it will not escape the observation of your honourable Committee, that publications of this nature would afford a powerful instrument, in the hands of the disaffected or ambitious, to excite that religious jealousy in the minds of our native subjects, even if that effect should not be produced without the aid of exterior agency.

45. Of the disposition of the natives of this country, especially of the class of Mahomedans, to receive impressions of this nature, even on grounds much less forcible than those which the publications in question would afford, and of the fatal consequences of an excited spirit of religious fury, we have experienced a dreadful example in the massacre of Vellore, of which the industrious propagation of a belief that the British Government entertained the design of converting its native subjects to Christianity, was rendered the efficient instrument.

A. B. C.
See pages
65 & 72.

46. Of the nature of the publication which forms the subject of this despatch, your honourable Committee will judge from the enclosed translations of the most material among them. We beg leave especially to draw the attention of your honourable Committee to the translation marked (C.) the original of which is entitled "The Rise of Wisdom," and is addressed to the Hindoos generally, but particularly to the class of Brahmins.

47. Your honourable Committee will observe that this work, far from being composed in the language of persuasion and conciliation, contains no trace of argument or dispassionate discussion, but consists almost exclusively of denunciation, and reproach directed against that class which is revered as sacred by the whole body of the Hindoos; that its tendency is to set one part of our native subjects at variance with another; to excite the enmity of the Brahmins especially against the British nation, and to irritate the minds of all the other classes of Hindoos.

48. Although the limited circulation which this work may hitherto have obtained, its being excluded from general perusal by the abstruseness of metrical composition or the natural apathy of the Hindoos, has prevented a manifestation of the effects above described, yet it cannot be supposed that a work of this nature is calculated to convince the persons to whom it is addressed of the errors of their persuasion. The good sense of the Missionaries indeed has led them to admit that the language of opprobrium and abuse is calculated rather to create resistance than to promote conviction, and have professed to regulate their proceedings according to the impression of this truth. The error of their judgment therefore, so strongly manifested in the publications to which we have adverted, evidently points out the necessity of that controul which we have deemed it our duty to establish over the operations of the press of Serampore.

49. Your honourable Committee will be satisfied by the observations stated in this despatch, that the publications in question having hitherto failed to produce among our native subjects a sensation of alarm, by no means warrants a conclusion that a more extended circulation of such works in a form which would render their contents accessible to all ranks of our native subjects, would not create the danger against which we have deemed it our duty to guard, by the suppression of them.

50. On a view of all the circumstances stated in this despatch, your honourable Committee may be disposed to admit the expediency of adopting such measures as your wisdom will suggest, for the purpose of discouraging any accession to the number of Missionaries actually employed under the protection of the British Government in India in the work of conversion.

51. That meritorious spirit of religious zeal which animates those respectable persons who deem it their duty to exert their endeavours to diffuse among the misguided natives of India the truths and blessings of the Christian Faith, can seldom be restrained by those maxims of prudence and caution which local knowledge and experience can alone inspire,

and without which, the labours of the Missionaries become a source of danger, and tend to frustrate, rather than promote, the benevolent object of their attention.

We have the honour to be, with the greatest respect,
Honourable Sirs,

Your most faithful humble servants,

Fort William,
2d November, 1807.

(Signed)

MINTO,
G. HEWETT,
G. H. BARLOW,
J. LUMSDEN.

No. 6.

Letter from
Gov^t Gen^l
2 Nov. 1807;
relating to
Missionaries.

—No. 7.—

Copies of all DOCUMENTS enclosed in a Letter from the Governor General of *India* to the Secret Committee of the Court of Directors, dated the 2d November 1807; in so far as the said Documents relate to The MISSIONARIES:—And, Copy of the ANSWER from the Court of Directors to the said Letter, so far as relates to the said subject of The MISSIONARIES.

TRANSLATION of an ADDRESS from the Missionaries at Serampore.

To all Persons professing the Moohummudan Religion.

JOYFUL TIDINGS!

Behold, O brethren! We are come to convert you from a distant country.—You have many well-wishers in England, who are continually anxious for your welfare, and are constantly enquiring about the state of your religion, of which they have received much information. The intelligence which they have received, has been to them a source of sorrow, and they have seen with pain, that nothing but the affairs of this world is able to engage the smallest portion of your attention, which is never occupied by good and virtuous objects.

For this reason they earnestly urge you to consider, that the only object of this life is to prepare us for a better; according to the Arabic proverb,—“This world is the field to be sown, the harvest is to be reaped in a future state.” Until you shall reflect seriously on this subject, you will never so live in this world, as to deserve happiness hereafter. It is in your creed, that there is only one God the Creator of all things, and that He has not given equal understandings to all; that is to say, that there are many beings in nature, who are incapable of comprehending the attributes of God. The beasts and birds, for example, cannot distinguish good from evil, but you are capable of that distinction, and therefore an account will be demanded at your hands. The Creator hears and observes all that you say and all that you do; He knows all your thoughts; and in the last day, when He shall sit in judgment, you will know how you can obtain His approbation. Have you ever reflected that all created beings owe their lives and happiness to Him, and that it is your most important duty to give praise and thanksgiving to Him?

If you have not considered this subject before, reflect on it now, lest (which God avert) the Creator of life should say, after your death, “I have fed and preserved these men from all misfortunes, and they have not paid the smallest attention to my commands, let them be condemned for ever to the torments of Hell.”

You say that God, who communicated the Old Testament through the means of the prophet Moses, has there commanded all men to reverence their Creator, and to love their neighbours as themselves. This is the most excellent of all commands, for He is the most bountiful and the most merciful, and on Him only depends the happiness of mankind. All men are descended from the same common parent (Adam), and to indulge mutual enmity is to disobey the commands of God himself. It is indeed the source of the greatest evils, and of the displeasure of God himself.

The evils and misfortunes of life belong to God, who has said, that He will burn all sinners for ever in Hell fire. In the inspired books of Moses, it was written, that those who should not obey the commands recorded there, should suffer the pains of Hell. Alas! alas! for your miserable state, O you Mohummudans! who have perverted his commands, and thereby incurred the wrath of God, reflect seriously how deserving of punishment are those who do evil with their eyes open.

How will you ward off the torments of Hell, or how will you be able to bear those torments? How will you wipe off the stain of your evil actions, or how will concealment or deceit avail you,

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you, when called to judgment before God? Since you cannot move the ocean or the stars, which are among the least of His works, it is clear that you will fail in the accomplishment of these more arduous undertakings.

O brethren! we bring you the joyful tidings, that though you and we are great sinners, and have both of us incurred the displeasure of our God, yet He in his endless bounty and mercy has appointed an all-powerful Saviour and Intercessor to effect the salvation of you and of us. Through Him only we can be saved; and that happiness which we have lost, we may again recover through His means. On our death we must look for consolation to Him alone, &c. &c.

[It is conceived that the remainder of this Address may be omitted, as it contains no observations particularly insulting to the Moohummudan religion, or any expressions tending to inflame the religious prejudices and jealousy of the natives for the freedom of conscience which they have hitherto enjoyed.—I proceed to the next Address, which professes to give an account of the Life of Moohummud, who is described under the term (Zanlim) or, the Tyrant.]

An Account of a certain TYRANT, from his Birth to his Death:

His father Abdoolla died young and left his son an orphan. His son inherited nothing but five camels and a female slave, and he was born of the tribe of Kooreish, in the city of Mecca, 572 years after the birth of Christ: his father died when he was about 13 years old, at which period his uncle took upon himself the care of his education, and appointed a widow to attend him: after some time he married the widow, whose great wealth enabled him to obtain distinction among his countrymen, and subsequently he conceived the desire of setting up for a prophet. From motives of policy he frequented a certain hill every year, and after some years he conducted his tribe and dependents thither, and told them that he had been visited by an angel from Heaven, who informed him that God had made him a prophet. His wife and his cousin (Allee) believed him, and were converted. These were the absurdities and lies which he preached. When he attained his fortieth year, being three years after the promulgation of his infamous mission, certain persons (the lamp of whose judgment was extinguished) embraced his creed, and in the progress of time many others were induced to follow this example. At the age of 52 he told his followers, that one night during his abode in Mecca, he ascended into Heaven, accompanied by an angel, and having passed through Eer and Sulum, was admitted into the presence of God himself, with whom he even pretended to have held a conversation. Many of his followers quitted him on the instant of their hearing of this boastful conversation.

In this manner he continued to flatter and mislead men until he attained the age of 53 years; he then directed his counsellors to slay those who should refuse to embrace his faith, pretending that he had received the good news (of this permission to slay his enemies) from the Deity himself.

According to his desire, they began to practise evil, and all the inhabitants of Mecca having obtained intelligence of their tyranny and violence, prepared to put him to death. The origin and source of all this mischief being thus reduced to extremities, fled to Medeena with his friends and followers. After a short time he began a war on the inhabitants of Medeena, in which he was sometimes victorious and sometimes defeated. At last, however, he got possession of many cities, such as Mecca, &c. which he plundered with the hand of violence and tyranny, having converted the inhabitants to his own false religion.

Eleven years after his flight to Medeena, he quitted this world, and his followers subsequently took forcible and violent possession of many cities. During his lifetime he had composed some pages in Arabic (the Kooran) which he locked up in a chest; after his death the chest was opened by one of his followers, and these leaves were collected into a volume, which is still extant. His lost followers, under the influence of ignorance, consider the reading of this book as a means of salvation; but during his lifetime—[the Persian is here utterly unintelligible]—he sacrificed the lives of thousands to his reputation; and under all these circumstances of injustice, it is clear that no wise man will believe in his creed, which is only the source of mental darkness. He has borrowed in the Kooran much matter from many books, and thus the charge of theft [plagiarism] is proved against him. Moreover, the plainest atrocities are inculcated as necessary or expedient, according to the principles of his book; whereas every vice is prohibited in the Old and New Testament, and in the Psalms of David, nay the man who shall think evil, is there declared to incur the Divine wrath.

The book of those who are wandering in the paths of error (the Kooran) cannot in any point of view be considered as the word of God, for it is there said, that those three books (the Bible and the Psalms) were superseded by the commands of God; whereas it is declared in those divine books, that whoever shall act in a manner inconsistent with the precepts which they contain, is guilty of evil: moreover, it is stated in the Kooran, that the salvation of man is ensured by fasting and prayer, and the pilgrimage to Mecca; whereas it appears from the word of God (that is to say, from the Old and New Testament, and the Psalms of David) that good actions are not in themselves sufficient for the salvation of man, except through the means of God's goodness.

Even Adam, Noah, Abraham, Moses, David, and the other prophets, have repented of their sins, and rested their hopes of pardon on the Messiah alone. O my friends! there is

no hope of the salvation of man according to those three books, but only through the medium of Jesus Christ.

The aforesaid tyrant Moohummud has published a law directly opposed to that which is contained in the scriptures invented by himself, and infinitely remote from the comprehension of the wise. He has affirmed that the same lustful gratifications which arise in this world from an intercourse with women, will constitute the reward of good men in Heaven; he (the tyrant aforesaid) has also commanded, that those who shall not embrace his religion, shall be put to the sword and consigned to infamy.

Think, O brethren! of these evil actions, and then say whether this tyrant, or the Messiah, the Spirit of God, will be the intercessor between God and man. It is stated in the true Scriptures that the pure in spirit shall enjoy in Heaven the same kind of happiness which arises to men from the practice of virtue in this world. It is affirmed by the aforesaid tyrant, that the good or evil which men do, is to be ascribed to the decrees of fate; and led away by this fallacy, the ignorant take no pains to ascertain the truth, believing that every thing which happens to them must be ascribed to the principle of predestination.

It appears from the Scriptures, that all the good actions of men must be ascribed to God, and that evil actions owe their origin to the Devil. It also appears that those who believe in Christ, and act according to his precepts, will be saved from the world, and obtain the reward of everlasting life. Quit, O brethren! the lying religion which you have been taught to believe, and embrace the faith of Jesus Christ, who took on himself the sins of all men, and sacrificed his life to effect their redemption. Amen.

Printed at Serampore near Calcutta, in the year 1213.

(A true Copy.)

N. B. Edmonstone,
Secretary to Government.

(Copy.)

To his Excellency the honourable J. Krefting, Esq. &c. &c. &c.

Sir,

WE deem it necessary to bring under your Excellency's notice, the enclosed translation of an extract from a Persian Pamphlet printed at the press established at Serampore, under the superintendence of the Society of Missionaries residing at that place, and circulated, as we are informed, among the Mussulmen inhabitants of this presidency by direction of that society.

2. It is superfluous to point out to your Excellency, the dangerous tendency of language so abusive of the Mahomedan religion and of its founder, as that which is contained in the enclosed document, when circulated among a people distinguished for their devoted attachment to their faith. It must be evident to your Excellency, that the style and tenor of that document can have no other effect than to irritate the minds, and inflame the religious zeal of the class of Mussulmen to which it is addressed; our duty as guardians of the public safety, therefore, would alone require that we should employ our utmost exertions to prevent the diffusion of a publication by which that safety may so seriously be endangered: but an additional obligation to oppose the circulation, and preclude the revival of such inflammatory productions, is imposed upon us, by the necessity of maintaining the public faith repeatedly pledged under the express injunctions of the legislature in England, to leave our native subjects in India, in the full, free, and undisturbed exercise of their respective religions. To permit the issue and diffusion of a publication containing the most direct and unqualified abuse of the principles and tenets of the religion of the country, proscribing its ordinances, and vilifying its founder and professors, would be manifestly a departure from that principle of toleration which the British legislature has prescribed, which we have uniformly professed and observed, and to which the faith of Government is inviolably pledged.

3. We have not yet formed our determination with regard to every specific measure which, with a view to the preservation of the public tranquillity, and to the vindication of our public faith, it may be necessary to pursue on the present occasion. But the object of most immediate urgency, is to suppress the further diffusion of this inflammatory pamphlet; with which view, we have judged it necessary to trouble your Excellency with the present Address.

4. We are satisfied that your Excellency will duly appreciate the importance of this object, as it affects the welfare of every European Settlement in India; and our experience of your disposition to promote the wishes of this Government, and our confidence in your Excellency's wisdom and discernment, leave no room to doubt your Excellency's acquiescence in the application which we have now the honour to submit to you.

5. The press of the Missionaries being established under the licence and protection of the Danish Government, we solicit the interposition of your Excellency's authority to prohibit the issue of any more copies of the pamphlet, which is the subject of this Address, or of any other publications of a similar description; and we further beg leave to suggest the expediency of requiring the Missionaries to deliver up all the remaining copies of the pamphlet in question. We further take the liberty to propose to your Excellency the necessity of ascertaining from the Missionaries to what extent, and in what manner, the pamphlet has been circulated, with a view to enable us to counteract its dangerous effects

PAPERS RELATING TO

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in those places within the limits of our authority or influence to which it may have been conveyed.
6. It is superfluous to express our entire conviction that this publication has been framed and issued without your Excellency's knowledge, and that if apprised of its nature and tendency, your Excellency's judgment and discernment would have induced you to exercise your authority for its suppression.

Fort William,
1st Sept. 1807.

(A true Copy.)

We have the honour to be, &c.

(Signed) MINTO,
G. H. BARLOW,
J. LUMSDEN.

(Signed) N. B. Edmonstone,
Secretary to Government.

(Copy.)

Wednesday, 2d September 1807.

In obedience to the orders of Government, the Reverend Mr. Carey was desired to attend at the Chief Secretary's chambers this morning.

Mr. Carey was first requested to state, whether he knew of a certain pamphlet printed in the Persian character and language, at the press of the Missionaries at Serampore, containing strictures on the Mahomedan religion, and circulated among the native inhabitants of this Presidency. In reply, Mr. Carey expressed his entire ignorance of any such pamphlet, observing, that neither he nor any of the society were conversant in the Persian language. He added, however, that he by no means meant to assert that no such pamphlet had issued from the press, but merely that he himself was not apprized of it, and he took occasion to advert to some tract or tracts on the subject of the religion of the Hindoos, which had been translated into the Hindoostanny language under the superintendence of the Missionaries, but disclaimed all knowledge of any such on the subject of the Mahomedan religion and in the Persian language.

The Secretary then informed Mr. Carey of the general nature of the pamphlet in question, and of the mode in which it had been brought under the notice of Government, and read to him the translation of that part of the pamphlet which immediately respects Mohummud and his religion.

Mr. Carey having observed that he did not perceive any particular impropriety in the general substance of what had been read to him, and that it appeared to him merely to contain arguments in favour of the Christian religion, opposed to that of Mohummud, the Secretary proceeded to point out to him the objectionable nature and dangerous tendency of the publication, by observations similar to those which are contained in the letter of the Right honourable the Governor General in council to the Governor at Serampore.

Mr. Carey said that he by no means approved the introduction of abusive language directed to the religion and its founder, that he was aware that no good end could be answered by it. That it was certainly calculated to irritate, and that to irritate an opponent was not the way to convince him of his errors. That such was not the practice of the Missionaries, in endeavouring to convert the natives to Christianity. Mr. Carey frequently repeated the expression of his own ignorance of the pamphlet in question, and added, that he could venture to declare that none of his brethren were apprized of the improper language which was introduced into it. That none of them understanding Persian, they might not know the force of many Persian words which it contained. That as a body, the pamphlet, as it now stood, could not be ascribed to them, and Mr. Carey intimated that it might be the composition of one of their proselytes, and that although to be printed at the press of the Missionaries, it must be supposed to have undergone a revision by one or more of their number, yet that probably it had not been revised with sufficient accuracy, and that in consequence of their ignorance of the language, the objectionable words had eluded observation.

These explanations were produced by the obvious enquiry, whether the Missionaries were not necessarily acquainted with, and responsible for, whatever issued from their press.

Mr. Carey observed, that the Missionaries were disposed in all respects to conform to the wishes of Government; that it was only necessary for them to know the will of Government to obey it, but that he hoped it was not the intention of Government to prohibit them from endeavouring to convert the natives, by the only means which they were disposed to use, namely, fair argument and persuasion: that all idea of compulsion was entirely out of the question,—that they merely employed arguments to convince the natives of their errors.—The Secretary here informed Mr. Carey, that he was not authorized to state the wishes or intentions of Government upon this point, but that so far he was at liberty to observe, that Government, as the guardians of the public safety, would consider it to be its duty to adopt such measures as were necessary to counteract whatever tended to endanger that safety. Mr. Carey adverted to the success which had attended their efforts, stating, that numbers of the Hindoo persuasion, from the Brahmin to the lowest cast, had been converted; that they had even succeeded in converting a few Mahomedans; instancing one, a syed or descendant of Mohommud,

Mohommud, who had embraced the Christian Faith, and had in consequence become, from an idle profligate character, a man of industry and exemplary sobriety and correctness of conduct. He observed, that in employing these means of conversion, it was impossible that they should speak well of the Mahomedan religion and its founder, for that would be to utter falsehood; but that they disclaimed the practice, and admitted the inutility, of employing abusive epithets, such as are contained in the pamphlet.

Mr. Carey (who acknowledged his influence over the Society of Missionaries) engaged, if it should be desired, that no publication should issue from the press at Serampore, without being first approved by Government.

The Secretary stated in reply, that he was not authorized to signify either an acceptance or rejection of that proposal.

Mr. Carey added, that he would adopt immediate measures to suppress the pamphlet, and withdraw it from circulation, if it had been circulated.

Mr. Carey was questioned regarding the correspondence of Missionaries with any gentlemen employed in the work of the mission in the interior of the country, and at the subordinate settlements, with a view to learn whether it was probable that the pamphlet had been transmitted to other stations, and to the coast.—From Mr. Carey's answers it did not appear that a regular and systematic correspondence, of the nature above mentioned, was maintained; Mr. Carey stated his opinion, that the pamphlet had not obtained any extensive circulation. He promised, however, to ascertain that point, and to put a stop to its further promulgation, both here and at any other place to which it might have been transmitted.

To these points Mr. Carey's immediate attention was particularly enjoined by the Secretary.

(A true Copy.)

(Signed) N. B. Edmonstone,
Secretary to Government.

(Signed) N. B. Edmonstone,
Secretary to Government.

(Copy.)

Dear Sir,

I FIND that a letter from the Right honourable the Governor General in council, has been sent to the Governor of Serampore, respecting the Persian Pamphlet which you mentioned on Wednesday last:—As that gentleman will make a report to Government on the affair, it would be improper for me to anticipate it by mentioning any particulars.

I may however observe, that on enquiry I am informed that the pamphlet was printed about two months ago; that about three hundred copies have been distributed in the vicinity of Calcutta, and that no copy has been sent to any part of the country.

4th September 1807.

I am, &c. &c.
(Signed) W. Carey.

(Copy.)

To the Right honourable Lord Minto, Governor General, &c. &c. and Supreme Council.

My Lord, and honourable Sirs,

1. I HASTEN to acknowledge the honour of your Lordship's letter of the 1st instant, which came to hand yesterday evening about seven o'clock.

2. Having made myself acquainted with the contents thereof, I immediately took the necessary measures, and prohibited the issue of any more copies of the pamphlet regarding the Mahomedan religion and its founder.

3. I beg leave to assure your Lordship and the gentlemen of the Council, that so far from my having any previous intimation of the circulation of such a pamphlet, I even was ignorant thereof till the moment I had the honour of receiving your letter.

4. As your Lordship's letter requires some correspondence on my part with the Missionaries residing here, I am under the necessity of deferring my final answer till a few days hence, when I shall have the honour to transmit my correspondence with them to the British Government. I only beg leave now to add, that all copies of the said pamphlet shall be delivered up, and no circulation whatever of such or similar papers will in future be permitted from the Missionaries press at Serampore.

Fredericksnagore, }
3d September 1807. }

I have the honour to be, with great respect,
My Lord, and honourable Sirs,
Your most obedient humble servant,
(A true Copy.) (Signed) J. Krefting.

(Signed) N. B. Edmonstone,
Secretary to Government.

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No. 7.

Copy of a Memorandum from Mr. Blaquier.

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Sunday, 6th September 1807.

The ceremony was began by an elderly Bengally, on whose coming and standing in the pulpit, all the audience, who were sitting down before on benches, stood up, when the old man began preaching in the Bengallee language, beseeching his congregation to observe that Yudkistkena, who had never spoken a lie, was persuaded by evil men to utter a falsehood, for which he was sent down to Hell.

The preacher then observed, that even Brahmins and other people of respectability, live a sinful life abroad with women of the town, having at the same time wives at home; that they drink liquor in the public shops, and that in the commission of all these unrighteous acts, they are not forced by any one, but prompted by their evil inclination. He then questioned the difference between Brahmins and other men, seeing they are both liable to sin equally—that if both these classes are equally liable to sin, why then the Sudras and others are required to expiate their sins, and why not the Brahmins?—that Brahmins cannot forgive sins.

That the annual religious festivals are not expiatory of sin, but productive of it, &c. &c.

The people continued standing all the while that the Bengally preached.

Then began the singing psalms in the Bengally language to European tunes.

After this, an European ascended the pulpit, and preached a sermon in English.

The hearers were, some Armenians, some native Portuguese, and some native Portuguese women; two Bengallies that are converted, sat on a bench on the left of the pulpit. There was no other Bengally or Mahomedan sitting, but a croud of them was collected at the door. Among the hearers I did not see a single person of any respectable character, but such as I recognized lead an irregular life. I am given to understand, the Missionaries have some Christians in their employ who use persuasive means to make converts.

(A true Copy.)

(Signed) N. B. Edmonstone,
Secretary to Government.

(Copy.)

To the Reverend W. Carey.

Sir,

THE substance of your replies to the verbal communications which I had the honour to state to you on the 2d instant, by direction of Government, having been reported to the Right honourable the Governor General in council, I am directed to request that you will communicate to the Society of Missionaries the observations and suggestions contained in this Address.

2. Since the day of your attendance at the Chief Secretary's office, various pamphlets and treatises in the Bengallee and Hindostanny languages, containing strictures on the religions of the Hindoos and Mussulmen, and purporting to have issued from the press at Serampore, have been submitted to Government: among them are two pamphlets, one in the Bengallee, the other in the Hindostanny language, addressed exclusively to the class of Mahomedans; containing the same or similar abuse of the doctrines, books, and founder of the Mahomedan religion, as is contained in the Persian Pamphlet from which I read to you a translated extract.

3. The Governor General in council has also been informed that the practice of public preaching on topics of that nature, prevails at a house engaged for that purpose by the Missionaries, in the town of Calcutta.

4. The issue of publications and the public delivery of discourses of the nature above described, are evidently calculated to produce consequences in the highest degree detrimental to the tranquillity of the British dominions in India, and it becomes the indispensable duty of the British Government to arrest the progress of any proceedings of that nature. In the present instance, this obligation is enforced by the necessity of maintaining the public faith, which, under the express injunctions of the legislature, has been repeatedly pledged to leave the native subjects of the Company in India, in the full, free, and undisturbed exercise of their respective religions. To permit the issue and diffusion of printed treatises, and the delivery of public discourses in the languages of the country, replete with the most direct and unqualified abuse of the principles and tenets of the religion of the people, is manifestly authorizing an opposition to the full, free, and undisturbed exercise of it.

5. Upon these grounds the Right honourable the Governor General in council deems it necessary to desire that the practice of preaching at the house employed for that purpose in the town of Calcutta, be immediately discontinued.

6. The Governor General in council also deems it his duty to prohibit the issue of any publications from the press superintended by the Society of Missionaries, of a nature offensive to the religious prejudices of the natives, or directed to the object of converting them to Christianity; observing, that whatever may be the propriety of exposing the errors of the Hindoo or Mussulmen religions to persons of those persuasions who may solicit instruction in the doctrines of the Christian faith, it is contrary to the system of protection which Government is pledged to afford to the undisturbed exercise of the religions

religions of the country, and calculated to produce very dangerous effects, to obtrude upon the general body of the people, by means of printed works, exhortations necessarily involving an interference with those religious tenets which they consider to be sacred and inviolable.

7. The Governor General in council further observes, that the press now established at Serampore, being intended for the promulgation of works within the limits of the Company's dominions, it is indispensably necessary that its productions should be subject to the immediate controul of the officers of Government. With this view I am directed to desire, that you will signify to the Missionaries the expectation of the Governor General in council, that the press be transferred to this Presidency, where alone the same controul that is established over presses sanctioned by the Government can be duly exercised.

8. I am further directed to desire, that you will ascertain and report to Government in what manner and in what places the pamphlets and treatises to which this letter refers, or any other of a similar description which may not yet have come under the observation of Government, have been distributed; and also that the Missionaries will employ every effort in their power to withdraw them from circulation.

Fort William,
8th September 1807.

I have the honour to be, &c.

(Signed) N. B. Edmonstone,
Secretary to Government.

No. 7.

Enclosures
Gov^t Gen^l's
Letter, 2 Nov.
1807; rela-
ting to Mis-
sionaries.

(Copy.)

To G. Dowdeswell, Esq. Superintendant General of the Police, and Magistrates for the town of Calcutta.

Gentlemen,

THE attention of Government having been lately attracted to a Persian Pamphlet printed at the press of the Society of Missionaries established at Serampore, and supposed to have been circulated among the native inhabitants of the town of Calcutta, containing the most direct and unqualified abuse of the Mahomedan religion and its founder, and Government having reason to believe that public discourses of a similar tendency are publicly delivered by the Missionaries, or their converts, in the town of Calcutta, Mr. Blaquiére was verbally requested to adopt measures with a view to ascertain the proceedings of the Missionaries in disseminating pamphlets of the nature above described, and in prosecuting the objects of conversion by the means of public preaching. From the result of Mr. Blaquiére's enquiries, it appears that numerous pamphlets, written some in the Bengalee and some in the Hindoostanee language, in terms highly abusive of the religious systems of the Hindoos and Mussulmans, have been printed at the press of the Missionaries at Serampore, and circulated among the native inhabitants of this city; and Mr. Blaquiére at the same time delivered in several pamphlets or treatises of the above description. Mr. Blaquiére further reported, that discourses on similar topics, were delivered every Sunday by the Missionaries or their converts, at a house within the town of Calcutta, engaged by the Missionaries for that purpose.

2. The Right honourable the Governor General in council, adverting to the dangerous consequences of these proceedings, has adopted the necessary measures for preventing the issue and distribution of publications, such as are above described; and the immediate object of this communication is to inform you, that the Missionaries have been required to discontinue and prevent the practice of public preaching at the house engaged for that purpose in the town of Calcutta.

I have the honour to be, &c.

Council Chamber,
8th September 1807.

(Signed) N. B. Edmonstone,
Sec^y to Gov^t.

(Copy.)

To the Right honourable Lord Minto, Governor General, &c. &c. &c. and Supreme Council at Fort William.

My Lord, and honourable Sirs,

I HAD the honour, on the 3d instant, to address your Lordship and members of the Supreme Council at Fort William, in a letter to be considered as a preliminary reply to that of the 1st of September, wherein I gave myself the liberty to state what steps I had taken for the suppression of a Persian Pamphlet regarding the Mahomedan religion and its founder. I did in the same letter intimate the necessity on my part, to enter into a correspondence with the Society of Missionaries at this place, thereby to ascertain the number of pamphlets distributed by them, and in what manner, &c. &c. I further gave myself the honour to promise, that all the remaining copies of the said pamphlet should be delivered up, and no circulation whatever of such or similar papers be permitted in future from the Missionaries press.

2. The society of Missionaries having complied with the orders I deemed it proper to prescribe with regard to the said pamphlet, I have the honour, as a measure of the respectful attention I owe to you my Lord and honourable Sirs, now to transmit all the printed copies remaining in the hands of the said society, amounting to 1,700, out of 2,000, as only 300

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copies appear to have been distributed either at Chinsurah, Serampore, Calcutta, or the neighbouring villages.

3. The subjoined copy of a letter I received from the Missionaries on the 8th instant, will fully convince you my Lord and honourable Sirs, of my having disapproved of their conduct in the present instance; and as I fully coincide in the political principles laid down in your letter of the 1st instant, I can only assure the Supreme Council, that the government of Serampore will never permit any act to be committed which might in any degree give offence to the British Government, whose prosperity the Danish nation in particular always will regard as their ultimate wishes.

4. The answer of the Missionaries will also I hope be considered as satisfactory, and as a pledge to you my Lord and honourable Sirs, that they never in future will attempt to print any thing by which the preservation of order and tranquillity might be endangered; and as their sentiments in their reply to my letter, manifest the fullest regret on their part, I humbly request that no further specific measure may be taken, as I, on the least application from your Government, always will be ready to check abuses, which in the present case appears merely to derive from a misapplied religious zeal.

I have the honour to be, with the highest consideration and respect,
My Lord, and honourable Sirs,

Fredericksnagore,
the 10th Sept. 1807.

Your, &c.
(Signed) J. Krefting.

(A true Copy.)

Signed) N. B. Edmonstone,
Secretary to Government.

(Copy.)

To His Excellency the honourable Jacob Krefting, Esq. Governor of Serampore,
&c. &c. &c.

Honourable Sir,

WE have been favoured with your Excellency's communication of the 5th instant, stating your having received a letter from the Right honourable the British Governor General and Council of Fort William, dated the 1st instant, which noticed a Persian Pamphlet lately circulated under our direction, as containing expressions tending to irritate the minds of the class of Mussulmans to whom it was addressed; expressing your sorrow at such a circumstance having occurred; prohibiting the further distribution of the said pamphlet; and requiring us to deliver up the remaining copies now in our hands; as well as to give you every degree of information relative to the actual distribution of the pamphlet in question.

2. On carefully examining this pamphlet, we feel it our duty to declare our sincere regret, that any expressions tending to irritate rather than convince the mind, should thus have issued from our press; and we feel that justice to our own characters requires us to state to your Excellency the circumstances under which it happened.

About three months ago we delivered to a Moonshi, formerly a Mussulman, but who had for some time professed an attachment to the Christian religion, a short abstract (in the Bengallee language) of the life of Mahomet, taken almost verbatim from Lale's preliminary discourse prefixed to his translation of the Koran, desiring him to translate it into Persian. The confidence we had in this man altogether, with the hurry of business, occasioned our putting the translation to press without a previous revisal; and we now find to our great regret, that he has departed from his original, not only by foisting in epithets which were not in the copy, but by making a number of alterations in the ideas themselves. We do not mention this for the sake of exonerating ourselves from blame (we are aware that such an act of negligence does not prevent its being our act) but merely as a fact in the history of the pamphlet. Should your Excellency wish it, we will send you either the original itself, which after much search we have found, or an English translation of it, that your Excellency may satisfy yourself of the truth of the fact.

3. We are happy to find, that of 2,000 printed of this pamphlet, 1,700 remain in our hands; the other 300, as far as we can ascertain, have been distributed either at Serampore, Chinsurah, or Calcutta, or the neighbouring villages. We suppose that none of them have gone to a greater distance. We hope, and indeed have reason to believe, that no apprehension need be entertained from those distributed, as from the indifference and disregard manifested by natives in general to things of this nature, it is more than probable that by far the greater part of them are thrown away or destroyed.

4. We cheerfully send your Excellency the remaining copies, and pledge ourselves that it shall never more issue from our press in any form whatever. Relative to similar papers in any future time, we beg leave to assure your Excellency, that our lively sense of the favour and countenance we have so long experienced from the Danish Government, both in Europe and India, and particularly from your Excellency, would alone prevent us from doing any thing which might in the remotest degree tend to give your Excellency pain. But it cannot be unknown to your Excellency, that we need no inducement of this kind to urge us to a conduct to the public tranquillity; we are thoroughly convinced that the Christian religion, so far from requiring the aid either of coercion or of irritating and
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obprobrious

opprobrious epithets, expressly disallows them; and we feel certain that no one was ever made a sincere convert to Christianity by means like these.

5. Indeed, were we in the course of our missionary labours here, to pursue a different line of conduct, we should not only violate those feelings of attachment and respect to the British Government, and the members who compose it, which none in India possess in a higher degree than ourselves, but act as contrary to the dictates of common sense, as to those of Christianity. If, as your Excellency justly observes, the safety of every European settlement be connected with the preservation of order and tranquillity in the British dominions in India, how much more deeply must our personal safety, and the safety of our families, be involved therein, since our very existence in this, a heathen country, is suspended on the prosperity of the British empire in India.

6. As a proof however of the real tenor of our conduct, we are happy in being able to appeal to evidence stronger than mere assertions,—your Excellency's personal knowledge. Nearly eight years have elapsed since we first had the honour of enjoying the patronage and the countenance of the Danish Government in India. We feel therefore peculiar satisfaction in appealing to your Excellency, whether our conduct, both as individuals, and as a Missionary body, hath not been agreeable to the sentiments we have just expressed; and we beg leave to assure your Excellency, that every view of the nature of Christianity, confirms us in the conviction of its being our duty to persevere in the use of the mildest, most inoffensive, and conciliatory methods in our intercourse with natives of every description, conscious that by these alone we can impress them with an idea of the true nature of Christianity. And we feel high pleasure in the thought, that while thus obeying the dictates of our own consciences, we have the happiness of perfectly coinciding with the wishes of your Excellency and of the Right honourable the Governor General of the British dominions in India.

We have the honour to be, &c.

(Signed)

Serampore,
Sept. 8th, 1807.

W^m Carey,
W^m Ward,
Josh. Marshman,
W^m Moore,
Jos^{ph} Rowe,
Felix Carey.

(A true Copy.) Prinzling, Secretary to Government.

(A true Copy.) (Signed) N. B. Edmonstone,
Secretary to Government.

(Copy.)

His Excellency the honourable J. Krefting, Esq. &c. &c. &c.

Sir,

WE have the honour to acknowledge the receipt of your Excellency's letters under dates the 3d and 10th instant, the former in reply to our Address, the latter received on the 11th instant, communicating to us the result of the measures which your Excellency had been pleased to adopt in conformity to our request for the suppression of publications obnoxious to the religious persuasions of the natives of India, and enclosing a copy of an Address to your Excellency on the subject from the Society of Missionaries at Fredericksnagore.

2. We request your Excellency to accept the expression of our cordial acknowledgments, for the attention which your Excellency has manifested to the request contained in our letter of the 1st instant, and for the measures which your Excellency adopted, with a view to ascertain the extent to which the pamphlet reflecting on the Mussulman religion had been circulated, and to prevent the future distribution of works of that description.

3. We have duly received the copies of the pamphlet which your Excellency had the goodness to require from the Missionaries and to transmit to this Presidency.

4. Your Excellency's assurance of the disposition of the Government of Serampore to meet the wishes of the British Government on all occasions, is consistent with our experience, and demands our cordial thanks.

5. Subsequently to the despatch of our letter to your Excellency's Address, we received information of the distribution of other pamphlets and treatises in the Hindoostanny and Bengally languages, printed at the press of Serampore, containing strictures on the religions of the Hindoos and Mahomedans, equally offensive with those contained in the pamphlet of which we had the honour to transmit to your Excellency a translated extract. We were also informed that the Missionaries and their converts were in the habit of preaching publicly in the town of Calcutta on similar topics.

6. In our letter of the 1st instant, we observed to your Excellency, that we had not then formed our determination with regard to the specific measures, which, with a view to the preservation of the public tranquillity, and to the vindication of our public faith, it might be necessary to pursue on the present occasion. With the additional information

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above described, however, we have since resumed the consideration of the subject, and the measures which we adopted in consequence, were carried into effect previously to our receipt of your Excellency's despatch of the 10th instant.

7. The works which are printed at the press of the Missionaries are expressly intended for promulgation within the limits of the British dominions, and even the operations of the press are principally supported by the aid and encouragement afforded by the Asiatic Society of the College of Fort William. The establishment of it at Serampore had no reference to the circulation of its productions within the limits of that colony, but is exclusively directed to the same purposes to which it would be applied if established at this Presidency. Under these circumstances, it appeared to us to be obviously regular, as well as highly expedient, that the press of the Missionaries should be placed under the immediate controul of this Government, in the same manner as the presses established at Calcutta. And with this view we signified to the Missionaries our expectation that the press be brought within the sphere of our direct authority, by being transferred to this Presidency.

8. We are satisfied that your Excellency will believe this arrangement to have been entirely unconnected with the slightest doubt of your Excellency's disposition to exert your authority in preventing the issue of improper publications, and will consider it to be founded exclusively on those general principles, which render it the duty of every government to reserve to itself the power of restraining irregularities within the limits of its own dominion.

9. For your Excellency's more detailed information, we have the honour to transmit, enclosed, a copy of the letter addressed by orders to the Rev. Mr. Carey, under date the 8th instant, communicating our desire that the press be immediately transferred to this Presidency, and prohibiting both the practice of public preaching at Calcutta, and the issue of publications directed to the object of converting the natives to Christianity.

10. The existence of a press at Serampore, being (as we have already observed) obviously unnecessary for the purpose of circulating works within the limits of that settlement, and exclusively applicable to the purposes of similar establishments of this Presidency, we confidently trust that your Excellency will not only concur in the expediency of the measure which we have adapted, but will withhold your consent to the establishment of any other press under the protection of the Danish flag.

11. We have perused with great satisfaction the Memorial of the Missionaries, and are entirely convinced of the rectitude and propriety of their intentions; but it will not escape your Excellency's observation, that the purposes of the press are liable to abuse without their knowledge and concurrence; since it appears from the tenor of the Memorial, that the Missionaries were not only uninformed of the objectionable nature of the Persian Pamphlet which has excited our attention, but that works of a similar nature in the Bengallee and Hindoostanny languages have been published at the press of Serampore, the contents of which were previously unknown to them.

We have the honour to be, &c.

(Signed)

MINTO,
G. H. BARLOW,
J. LUMSDEN.

Fort William,
15th September 1807.

(A true Copy.)

(Signed)

N. B. Edmonstone,
Secretary to Government.

To N. B. Edmonstone, Esquire:

Sir,

1. I HAVE the honour of acknowledging the receipt of a letter from you, dated the 8th instant, requesting me to communicate to the Society of Missionaries at Serampore, the observations and suggestions contained therein.

2. In reply thereto, I have the honour to inform you, that I have communicated to the Society of Missionaries the contents of the said letter, agreeably to the request contained therein.

3. I have the honour to observe, in reply to the eighth paragraph, that I will endeavour to ascertain and report, for the information of Government, the places where these or any other pamphlets have been circulated. At present I am able only to say, that although pamphlets have been in circulation for several years, no one instance has come to my knowledge, of the least symptom of alarm having been excited either among Hindoos or Mussulmans in consequence of such circulation.

I have the honour to be, &c.

(Signed)

W. Carey.

Serampore,
15th September 1807.

(A true Copy.)

(Signed)

N. B. Edmonstone,
Secretary to Government.

To the Right honourable Gilbert Lord Minto, Governor General of India, &c. &c. &c.

My Lord,

1. THE Society of Missionaries residing at Serampore, entreat permission to lay before your Lordship, with the greatest submission, a full and undisguised statement of their situation,

situation, circumstances, and views; humbly casting themselves on your Lordship's clemency, and imploring such relief as your Lordship's candour and wisdom and attachment to the Protestant religion may suggest.

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sionaries.

2. Your Lordship's Memorialists beg permission humbly to represent, that in the year 1792 a number of ministers and others of the Baptist denomination, reflecting on the blessings they enjoyed through the Christian Revelation, and feeling it their indispensable duty to attempt imparting the same to the heathen, formed themselves into a voluntary society, by the name of the Baptist Missionary Society; and that your Lordship's Memorialists, influenced by the same views, by the advice of this society, engaged in a mission to India.

3. They entreat permission further to state, that one of your Lordship's Memorialists and his friend, since dead, landed at Calcutta in the year 1793; who being soon after entrusted by a gentleman high in the service, with the care of two indigo works in the district of Dinagepore, began to learn the Bengallee language, translate the Scriptures and dispense Christian instruction to the natives of that and the neighbouring districts; and although this was continued for six years, nothing appeared on the part of the natives but the highest satisfaction.

4. That the Right honourable Lord Teignmouth, being then Governor General of India, was pleased to grant these two Missionaries the covenants of that time, granted to British subjects in India.

5. They entreat permission further, humbly to represent that in the year 1799, four other Missionaries arriving at Serampore, were invited by his Excellency Colonel Bie, late Governor of Serampore, to settle in that colony, open an European school, set up their printing press, and instruct the natives of that settlement in Christianity, under the patronage of his Danish Majesty; and that your Lordship's Memorialists felt it their duty to accept his Excellency's invitation.

6. That in consequence of a representation made by his Excellency Colonel Bie, his Danish Majesty was pleased to direct the Royal College of Commerce at Copenhagen, to signify his pleasure to the Governor of Serampore, that the Society of Missionaries be considered as under his Majesty's protection and patronage, which they accordingly signified by a letter bearing date September 5th, 1801.

That, thus encouraged by the Danish Government, your Lordship's Memorialists proceeded to print the Scriptures in the Bengallee language; and, by preaching and diffusing religious tracts, to instruct the native inhabitants of that settlement in the Christian religion; and that his Excellency the late Colonel Bie was pleased, at the baptism of the first Hindoo convert, to honour the Missionaries with his presence.

8. That, after the Scriptures were published, many came to Serampore from different parts of the country to request copies, and to seek Christian instruction; and that a considerable number, at different times, have received Christian baptism.

9. That of those who thus came from a distance, some entreated your Lordship's Memorialists to accompany them to their respective homes, for the sake of instructing their neighbours and friends, who, though equally desirous of Christian instruction, were unable to take so long a journey; that in several instances they complied with these invitations, and invariably found these excursions attended with perfect quietness as well as safety to their own persons, although they appeared simply as Christian teachers; and the people whom they thus visited, were in several instances Mahomedans.

10. Your Lordship's Memorialists entreat permission farther to represent, that on occasion of the printing presses at Calcutta being placed under the controul of Government, the Most noble the Marquis Wellesley was pleased to enquire respecting the press at Serampore; but on being informed that, (official papers for the Danish Government excepted,) the Missionaries confined its operations to printing the Scriptures and religious tracts, and made it an invariable rule to print nothing of a political nature, his Lordship was pleased to express his satisfaction at the press of Serampore being thus employed.

11. That his Lordship was pleased soon after to accept a copy of the New Testament, translated by the Missionaries into the Bengallee language, and to express his approbation of the undertaking.

12. That in 1801 his Lordship was pleased to appoint one of your Lordship's Memorialists, teacher of the Bengallee and Sangskrit languages, in the College of Fort William.

13. That his Lordship was pleased soon after to direct the Missionaries to prepare and print the Psalms of David, and the Book of Isaiah, as a class-book in the Bengallee language, for the use of the college.

14. That on a subsequent occasion, his Lordship was pleased to assure one of your Lordship's Memorialists, that he was perfectly acquainted with all the concerns and operations of the Missionaries at Serampore, and felt great satisfaction at their affairs being attended with such a degree of success.

15. They entreat permission also to represent, that in the year 1803 a copy of the New Testament, and the Pentateuch, in the Bengallee language, were presented to His Majesty by R. Bowyer, esq. of Pall Mall, and that His Majesty was pleased graciously to accept them, and to direct that His Majesty's thanks be given to the Baptist Missionary Society.

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16. They humbly beg leave further to represent, that early in the year 1804, reflecting on the situation of the different countries around, as destitute of the Holy Scriptures, your Lordship's Memorialists felt it their duty to request the assistance of the public in Europe, in the work of translating and publishing the Scriptures in the languages of India.

17. That in the year 1805, a letter was received from the British and Foreign Bible Society, of which the Right honourable Lord Teignmouth is President, and the Bishops of London, Durham, Exeter, and St. David's, the Right honourable Lord Radstock, Admiral Gambier, Sir W. Pepperell, William Wilberforce, and Charles Grant, Esq. Vice Presidents; the following extract from which, they humbly entreat permission to submit to your Lordship.

London, July 23d, 1804.

"Resolved,—That George Udny, Esq. the Reverend David Brown, the Reverend Claudius Buchanan, and Messrs. Carey, Ward, and Marshman, be requested to form a Committee, and to correspond with the Society respecting the best means of promoting the objects of this Institution, with regard to the Eastern languages."

(Signed) John Owen,
Secretary.

18. That in the year 1806, your Lordships Memorialists published a Memoir, in India, relative to the translations of the Scriptures, of which copies were transmitted to the honourable the Court of Directors, the Right honourable the President of the British and Foreign Bible Society, the Right Reverend the Bishops, the Universities in Britain, and a number of public bodies and private gentlemen.

19. That in consequence of this Memoir, a considerable sum was subscribed by gentlemen at this Presidency to carry forward the work; and that subscriptions have been received on the same account from England and Scotland, and also from the United States of America.

20. Thus have your Lordship's Memorialists, humbly relying on your Lordship's clemency, laid open in the most unreserved manner the whole of their circumstances; conscious of no evil design, they have never attempted concealment, but have year by year laid the whole of their conduct before the public, both in Britain and India. And they entreat permission farther humbly to state, that in the course of their missionary labours, they have baptized upwards of a hundred natives, including Hindoos and Mussulmans; of these, the first ten were inhabitants of Serampore, and the rest such as came from different parts of the country seeking Christian instruction. Among these, twelve were Brahmins, sixteen of the Writer cast, and five Mussulmans. Your Lordship's Memorialists entreat permission to add, that neither the baptism of the Brahmins, nor Mussulmans, created any kind of alarm, although the circumstances attending them were perfectly well known to a great distance around.

21. Your Lordship's Memorialists humbly entreat permission further to represent, that in thus affording Christian instruction to natives, they were perfectly unconscious of acting contrary to the declared will of the British nation and Legislature, or to the existing regulations of the honourable Company. Conscious of the salutary effects in renovating the mind and regulating the passions, they wished to impart the blessing to their Hindoo fellow subjects, happy in the idea that in every real convert they were securing to their country a friend, a subject obeying from new principles, and cordially attached to the British nation by new and inviolable ties.

22. They entreat permission further to represent, that though perfectly acquainted with, and highly revering the principles which induced the British Legislature to guarantee to their Indian subjects the full and undisturbed possession of their different religious opinions, your Lordship's Memorialists were perfectly unconscious of violating those principles, inasmuch as the most solemn engagements of this nature in Britain are never supposed to preclude religious discussion; and from the liberal and generous nature of the protestant religion, they were led to imagine that a protestant nation, while utterly averse to coercion, could not but wish their Hindoo subjects might in some prudent and safe method receive Christian instruction.

23. They humbly entreat permission further to state, that this supposition was strengthened by perusing in Russell's collection of Statutes concerning the Incorporation, Trade, and Commerce of the East India Company, printed at London in 1786, and dedicated to the Right honourable Henry Dundas, an abridgment of the Charters of Incorporation granted to the several East India Companies, which abridgment, among others, contains an abstract of the charter granted to the honourable Company by his Majesty King William the Third, and bearing date September 5th, 1698; in which it is stipulated, page xx. of the abridgment, that "the ministers of the honourable Company are to learn the Portuguese and Hindoo languages, to enable them to instruct the Gentoos, &c. in the Christian religion."

24. Your Lordship's Memorialists humbly acknowledge to your Lordship, that the conduct of other protestant nations towards their Indian subjects, has also tended to confirm them in this supposition, particularly that of the United States of Holland, who, while they allowed their Cingalese, Malabar, and Malay subjects, the free exercise of their different religions, at the public expense translated the sacred Scriptures into the former and latter of these languages, and employed Missionaries and Catechists to instruct the natives in the Christian religion; from which conduct your Lordship's Memorialists have never heard

that in one single instance any alarm or disturbance arose, but that, on the contrary, these converted natives were often of the highest political service to their respective governments.

25. That the conduct of his Danish Majesty Frederick the Fourth, who in 1705, at his own expense, sent Messrs. Zeigenbaly and Grundler to found the Protestant Mission at Tranquebar, tended still more to confirm their minds in this idea, particularly when connected with the subsequent conduct of the British nation towards that mission; for your Lordship's Memorialists entreat permission to represent, that on the return of the Missionary Zeigenbaly to Europe, nine years after the commencement of the mission, he was invited to a sitting of the Bishops and others, in the Society for promoting Christian Knowledge; and that after his return to India, he was presented with a printer's press, to encourage him in the publication of the sacred Scriptures; that this press the Missionaries set up at Tranquebar, where it still remains employed for Missionary purposes, under the patronage of his Danish Majesty.

26. That the gracious condescension of his Majesty George the First, by no means tends to weaken those ideas; for, in addition to the encouragement afforded these Missionaries by his subjects, his Majesty was pleased to write them two letters, in the first of which, bearing date August 23d, 1717, his Majesty was pleased to express his satisfaction at the success of their labours, and to assure them of the continuance of his royal favour; and in the second, dated February 23d, 1727, twenty-two years after the mission had been founded (a period in which the dissemination of the Scriptures and the baptism of a multitude of the natives had fully developed its nature and tendency) his Majesty was pleased to express his satisfaction in terms still stronger, to assure them that a constant account of the progress of their mission would be acceptable, and to "pray that they might be assisted in this good work, that its perpetuity might not fail in generations to come."

27. Your Lordship's Memorialists humbly entreat permission further to represent, that the conduct of the honourable Company towards the Missionary servants lately deceased, has tended to convince them, that in attempting to afford Christian instruction to the Hindoos, they were not acting contrary to the will of the honourable Company. In confirmation of this idea, they entreat permission to refer to the cenotaph, which the honourable Company has been pleased to erect at Madras to the memory of this Missionary, directing that the inscription be translated into the different languages of the country, that the natives may understand the sense they entertain of his transcendent merit in "abstracting himself from temporal views, and for a period of fifty years going about doing good," in the character of a Christian Missionary.

28. Your Lordship's Memorialists most humbly entreat permission to appeal to your Lordship, whether their circumstances and employment in translating the Scriptures, and quietly dispensing Christian instruction, be not similar to those of Zeigenbaly and Swartz.

They acknowledge that their efforts bear no proportion to the labours of these excellent men, but entreat permission humbly to represent, that their motives and the nature of their labours are exactly the same.

29. They also entreat permission further to represent, that from the peculiarly delicate circumstances in which the efforts of the Missionary Swartz were made, among natives whose bigotry greatly exceeds that of the natives of this Presidency, and in the neighbourhood of the most inveterate and formidable Mahometan power which has ever opposed the British nation, they were led to suppose that if in these circumstances, attempts to instruct natives in the Christian religion were not injurious to the public tranquillity, but rather meritorious, they could not be of a different nature in this Presidency, freed from every powerful Mahometan neighbour, and when the natives, divided into numerous sects, indulge in literary and religious discussion to an almost unbounded degree.

30. That all they have had an opportunity of observing relative to the natives, has convinced them of this being their true state and disposition. They have found that in numerous instances discussion has been desired by their native teachers and approved by the multitude, even when it has ended to the disadvantage of their spiritual guides; that Christian instruction has been sought both by Hindoos and Mussulmans; that the prudent dissemination of Christian instruction for thirteen years, the baptism of more than a hundred of the natives, and the circulation of several thousand copies of the Scriptures, has created no alarm, nor excited among them the least dissatisfaction during the whole of this period. They entreat permission also to add, that one of your Lordship's Memorialists has been in the habit, for more than five years, of dispensing Christian instruction in Calcutta to his servants, and such other natives who choose to attend, without observing the most distant appearance of discontent.

31. Your Lordship's Memorialists humbly entreat permission further to intrude upon your Lordship's clemency, and to represent, that about a year ago a number of Americans and Protestant Portuguese, natives of Calcutta, stated to them that they wished for Christian instruction, but were too little acquainted with the English language to receive it at the English church, they therefore entreated your Lordship's Memorialists to afford it them in Bengalee, the only language in which they could receive it, one of them offering to fit up a part of his house for that purpose. Not imagining that by thus affording instruction to protestant natives, they were acting contrary to the will of Government,
your

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sionaries.

No. 7. your Lordship's Memorialists felt it their duty to comply with this request. And it is with the deepest concern they learn that this has been mentioned to Government, as an attempt to inflame the minds of the natives, and disturb the public tranquillity.

Enclosures in Govt Genl's Letter, 2 Nov. 1807; relating to Missionaries.

32. They humbly beg leave to represent, that hearing instruction in their own language, natives have occasionally listened without, but that not the least appearance of dissatisfaction has been observed among those who have thus occasionally listened.

33. Your Lordship's Memorialists humbly implore permission to represent, that it is with the deepest concern they understand apprehensions for the public tranquillity have been entertained from the productions of their press.

34. They therefore humbly entreat permission to lay before your Lordship a correct list of the pamphlets which have issued therefrom, with a brief view of their contents:

1. "The Gospel Messenger," a short Bengalee poem, written to announce the translation of the Scriptures. By a Hindoo Pundit, favourable to Christianity as an object of discussion, but still professing Hindooism.
2. "The Dawn of Wisdom." By the same Pundit. Written to invite his countrymen to the investigation of Christianity.
3. "News relative to the Salvation of Men."
4. "A Summary of Christian Doctrine."
5. "The Words of Affection," a Summary of Christianity, with an invitation to the Hindoos to examine it.
6. "An Address to the Worshippers of Juggernaut,"—4 pages.
7. "The Difference," a comparison between Khrishna and Christ. A translation of this, and the 1st, 5th, and 6th Articles, have been published in England.
8. "The Sure Refuge," "Salutary Counsel," and the "Enlightening Guide," three short pieces addressed to his countrymen the Hindoos. By Pelumber Sing, an aged native Christian.
9. "An Address to Mussulmans," with an Appendix containing some account of Mahomet.

35. Your Lordship's Memorialists humbly entreat permission to represent, that these pamphlets, with a few Catechisms (two of them Dr. Watts's) include every thing they have printed in the native languages, except the Scriptures, a book of Hymns, and the elementary books printed for the College of Fort William. The appendix in the 9th article, is the Pamphlet, a Persian translation of which was laid before your Lordship. This is the only one which your Lordship's Memorialists have at any time addressed to the Mussulmans, as they have generally found them less fond of discussion than the Hindoos. They entreat permission to add, that the Address was written and printed in England several years ago, and was selected by your Lordship's Memorialists, on account of its conciliatory tendency; that the appendix was drawn up by your Lordship's Memorialists, about three years ago, at the request of a number of Mussulmans highly fond of religious discussion,—that none of those epithets were used respecting Mahomet, which appeared in the Persian translation, and that your Lordship's Memorialists never heard of any Mussulman being displeased by the perusal in the Bengalee of the original copy, although it has been read for nearly three years. They entreat permission however to represent, that on receiving the first information of your Lordship's pleasure, they withdrew it from circulation in every form.

36. They entreat permission to assure your Lordship, that nothing can be farther from them, than an indifference to the public tranquillity. Convinced as they are, by all the observations they have been able to make, that the British Government is the greatest national blessing vouchsafed by Divine Providence to India for many ages, and that the safety of themselves and their families, and of their native converts, depend in a peculiar manner on the permanent prosperity of the British Government, they entreat your Lordship to judge whether the dictates of religion do not concur with those of the soundest reason, in urging them to promote by every possible means, the peace, tranquillity and prosperity of the British Empire in India.

37. Your Lordship's Memorialists humbly entreat permission farther to represent, that they now have in the press translations of the Scriptures in the Sangskrit, the Bengalee, the Hinddee, the Orissa, the Mahratta and the Guzzerratter languages, which they have pledged themselves to the public in Britain, America, and in India, to print at a stipulated price, a price precluding any profit arising to themselves from this work of public and gratuitous benevolence.

38. That for the sake of executing these works, and others which they are printing at a stipulated price for the College of Fort William and the Asiatic Society, and the accommodation of those concerned in them, they have been obliged to purchase and fit up premises at an expense of more than sixty thousand rupees, an expense involving them in debts which the most persevering industry and the most rigid economy has not enabled them in seven years wholly to liquidate. They humbly entreat permission further to state, that these premises, if abandoned, could be let only for a small monthly rent, and would indeed be ineligible to any single family, or to persons in a different line of business; while premises equally spacious and convenient could not be obtained in Calcutta for the monthly rent of a thousand rupees.

39. That in consequence of the difference in the price of house rent and other necessities of life naturally existing between the metropolis of India and a small country town, the wages of native workmen in the printing line at Calcutta, are nearly double those given at

at Serampore. Such works however as your Lordship's Memorialists have engaged in, with a view to public sale, relating chiefly to Oriental literature, are exceedingly limited and precarious in the sale, and will permit no addition being made to their price.

40. That your Lordship's Memorialists, with their wives and children, forming a family of more than thirty Europeans, are by their missionary circumstances laid under the necessity of adopting a degree of economy and frugality, practicable only in a retired country situation, as well as of training up their children (twenty in number) in the same course; they therefore entreat permission to represent to your Lordship's consideration, that these circumstances constrain them to contemplate a removal to Calcutta with the utmost dread, as involving the speedy and inevitable ruin of themselves and their families.

41. They beg leave therefore to cast themselves on your Lordship's clemency, and with the utmost deference to submit their circumstances to your Lordship's humanity and wisdom, humbly imploring the great Author of the Christian religion to pour down on your Lordship his choicest blessings, that your Lordship's Government, tranquil and happy to your Lordship, may be productive of the most beneficial and lasting effects to the millions confided to your Lordship's care; and that at a very distant period your Lordship may receive from his gracious hand a crown of glory that fadeth not away!

We have the honour to be, &c. &c.

Mission House, Serampore,
30th Sept. 1807.

(Signed)

W. Carey, *Wm. Moore,*
Jo. Marsham, *Josh. Rowe,*
Wm. Ward, *Felix Carey.*

(Copy.)

To the Right honourable Lord Minto, Governor General, &c. &c. &c. Supreme Council,
Fort William.

My Lord, and honourable Sirs,

I HAVE the honour to acknowledge the receipt of your Lordship's letter, dated the 15th instant. The necessity of a reference to the Missionaries, in order to enable me to answer your public letter, has precluded me from transmitting an earlier reply thereto.

2. It gives me great pleasure, my Lord and honourable Sirs, from the general tenor of this letter, to perceive your Lordship's acquiescence in the measures I have adopted, as well to ascertain the extent to which the pamphlets respecting the Mussulman religion have been circulated, as to prevent the future distribution of works of that description.

3. I am also informed, that the several copies I did myself the honour to send down to Fort William on the 10th instant have been received.

4. Your Lordship in council have been pleased to observe, that subsequently to the despatch of your first letter, information had been given of the distribution of other pamphlets and treatises printed at the press of Serampore, containing strictures on the religion of the Hindoos and Mahomedans, equally offensive with those contained in the first translated extract; moreover, that the Missionaries and their converts were in the habit of preaching publicly in the town of Calcutta.

5. Having considered it my duty to ascertain all facts with regard to this unpleasant affair, in order thereby to convince my superiors of the absolute necessity on my part to suppress the issue of all works regarding religious discussions from the press of Serampore, I have directed the Missionaries to furnish me with a translated copy of the pamphlet in the Hindoostanee and Bengalee language, which I have now the honour, enclosed, to transmit for your Lordship's inspection. The errors of the Mahomedan and Hindoo religion are (as cannot be denied) developed in this pamphlet; but I humbly beg leave to observe, that I do not find the expressions made use of so offensive, as those contained in the Persian pamphlet, in which the Mussulman religion and its founder are exposed in a manner I certainly did not approve of; I further beg leave to observe, that the Bengalee pamphlet alluded to in the 5th paragraph of your Lordship's letter, is not the production of yesterday, or of a late date, but has been in circulation since the latter end of the year 1804, or from the beginning of the year 1805. The habit of the Missionaries of preaching publicly in the town of Calcutta, on the topics of religion, is also nothing new, but will on due examination be found to have been practised there by them for nearly five years back, in which time no notice has been taken of their proceedings, nor has disturbance to my knowledge been the consequence thereof.

6. As it appears by the 9th paragraph of your public letter, that your Lordship in council entirely disapprove of the Missionaries issuing publications directed to the object of converting the natives to Christianity, I have, in order to evince the British Government of my utmost desire to manifest every practicable attention to the fulfilment of their wishes, prescribed such rules for the Missionaries, as will effectually preclude them from the possibility of acting contrary to your Lordship's political views in future. The press at Serampore is consequently suppressed. As far as may concern religious matters, the translation of the Bible and the New Testament is forbidden, until I can have the honour

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of your advice and sentiments, whether the circulation of the Bible in the Bengalee language is to be included in your Lordship's prohibition.

7. Having now, as I hope, given the strongest proofs of my readiness to meet your Lordship's wishes, and also my determination to restrain such irregularities as might give offence to the British Government in India, I humbly request that your Lordship in council will desist from urging the measure of having the press transferred to the Presidency of Fort William, a step which will not only cause the ruin of the Missionaries, but will likewise be highly prejudicial to his Danish Majesty's settlement Fredericksnagore, where the press is constantly made use of, as well with regard to the publishing of regulations within our own limits, as also for advertisements of all public and private sales.

I avail myself of this opportunity to renew the high consideration and respect with which I have the honour to be,

My Lord, and honourable Sirs,

Your most obedient and most humble servant,

Fredericksnagore,
the 30th September 1807.

(Signed) J. Krefting,

(Signed) Printzling,

Secretary to Government.

Some Account of MOHUMMUD.

THE name of Mohummud's father was Abdulla; he died while young, and Mohummud was very poor, having only five camels and one maid servant. 571 years after the birth of Jesus Christ, Mohummud was born at Mecca in the Khoreish tribe. When he was 13 years of age, his uncle took care of him, and placed him in the service of a widow, whom he afterwards married; and by her wealth, became one of the richest men in Mecca.

From that time he, forming the idea of becoming a prophet, retired every year to a cave in the mountain Hara, and after some time, taking his family thither, told them that the angel Gabriel had appeared to him, and said "God has appointed thee to become a prophet." His wife and his uncle's son hearing this, believed it. Mohummud declared this at the age of forty, and very few became Mussulmans till after he was forty-three years of age, but by degrees his followers increased. When he was fifty-two years old, he told the people that one night he had gone from Mecca to Jerusalem with an angel, and from Jerusalem to Heaven, and had conversed with God; but when some of his followers heard this imposture, they deserted him. Mohummud, till he was fifty-three years of age, gained disciples by persuasion, after which, he declared that God had commanded those who would not embrace the Mussulman faith to be destroyed, and upon this, his enemies at Mecca sought to kill him, wherefore he fled to Medina. After this, he made war with his enemies, in which sometimes he prevailed, and sometimes they.

Seven years after his flight he sent messengers to the neighbouring princes, attacking those who despised his message. Eight years after his flight he conquered Egypt, Syria and other countries, and also made himself master of Mecca: eleven years after his flight he died, but all Arabia were Mussulmans before his death. After his death, his followers by war obliged Hindoostan and other countries to embrace the Mussulman faith. The leaves of the Koran had been found in a chest after his death, and Abubeckar, one of his followers, putting those together, formed the Koran as it now is.

Mohummud had nine wives, and occasioned the death of many thousands of people, on which account we say that he is not a true prophet, nor in any respect the friend of God, as a murderous robber cannot be the friend of the governor general.

Mohummud deceiving, said, "I received the Koran by degrees from the angel Gabriel." When he wanted to delude the people, he would say, "I have this command from God, through the angel Gabriel."

Many of the words of the Koran are found in other books; how therefore could Mohummud say, that he received the whole from God by the angel Gabriel?

We say that the Koran is not the book of God, because it does not prohibit all sin: it encourages men to commit adultery, to fight and to destroy others; but the Law, the Psalms and the New Testament, prohibit every sin and every sinful thought.

We say that the Koran cannot be the word of God, because Mohummud said; he was a prophet to establish the Law, the Psalms, and the Gospel; but in the Gospel it is written, that whoever adds any thing to these three by any other book, God will cast him into Hell. Why then did Mohummud write the Koran?

We say that the Koran cannot be the word of God, because in it is a very great mistake—the way of salvation. Behold, in the Koran it is said that men go to Heaven by these four works: alms, prayer, fasting, and pilgrimages to Mecca; but the Law, the Psalms, and the New Testament, firmly declare, that none can go to Heaven by his own works: and that Adam and Noah, and Abraham and Moses and David, and all the other prophets mentioned in the Law and the Psalms, repenting of their sins, rejected their own righteousness and trusted in the death of Jesus Christ. The Law, the Psalms, and the Prophets declare from beginning to end, there can be no other way of salvation besides dependance in the death of Christ. Therefore in the Law, the Psalms, and the New Testament, this the way of salvation

salvation is ascertained; but the Koran leaving this way, has instituted another. How therefore could Mohummud say that these three books and the Koran are equally the word of God? for God has instituted only *one* way of salvation.

We say that the Koran cannot be the word of God, for it is written therein that the happiness which people will obtain in Heaven, will be such as arise from a man's committing adultery with many women. But the Bible says, that the happiness of Heaven consists in constant purity of mind, in the joy of the heart and abhorrence of sin.

We say that the Koran cannot be the word of God, because it is said therein, that every thing comes by fate, from which, all say when they have sinned, "we do just what God causes us to do;" and thus have no fear respecting sin. The Bible says, that man sins voluntarily, and that God never causes man to sin.

As the Hindoos having forsaken God, worship idols, that is, praise, serve, and sacrifice to Devils; so you likewise forsaking God, perform prayer, oblations, &c. before peers; but what are peers besides idols? And as the Hindoos having made an image, call it Krishoo Doorga, and worship it, so you, calling a Darga the soul of a departed saint, offer to praise and worship it; therefore, both they and you, leaving the true God, serve another. There are also among you other customs of the worshippers of Devtas particularly, you regard cast, which the Mussulmans of other countries do not; disregarding the purity or impurity of the mind, you, like the worshippers of Devotas, regard only the purity or impurity of the body; at the feast Sabrat you perform the Shraddha for fourteen generations, and mentioning their names, pray to the peer for their salvation. At the time of Bukreed, he whom you call Rozdar, making a place in the earth, remains therein only through pride, and for the sake of a little gain. At the time of the Mohurru, you make images of Hussen and Hosein, and worship and praise them, and the people ranging on the two opposite sides of Hussen and his adversary, take weapons and fight, and sometimes many are killed. At the festival Bara, you making a number of images, worship them, and indeed at all your festivals you make illuminations and other unmeaning shows, and not praying to God in secret, read your prayers in public, merely to be seen by men; and indeed they who read the Koran, instead of reading in private, that their minds may be fixed on God, read with a loud voice in public, only to be heard by men; and he who gives alms, only does it to be seen of men. Where many are collected, there you, on an elevated seat, sit and dispense your alms.

By all these and many other proofs, we know that the way of the Mussulmans shaster is certainly wrong, for of those who are great sinners, no one has a wish to leave sin, nor to obtain a pure heart through the favour of God; but innumerable sinners, believing in Christ, have forsaken sin and obtained purity of heart.

O beloved Mussulmans! why are you absorbed in this destructive delusion? Pray to Jesus Christ,—no one can serve you but he alone: He has been more gracious to you than any one, for to save your souls he gave his own; and the sins of all who trust in him, he hath borne in his own body; and he by the Holy Spirit prepares their minds for the enjoyment of the eternal happiness of Heaven.

(A true Copy.)

(Signed)

J. Marshman.

(True Copy.)

(Signed)

N. B. Edmonstone,

Secretary to Government.

(Copy.)

His Excellency the honourable J. Krefting, Esq. &c. &c. &c.

Honourable Sir,

WE have the honour to acknowledge the receipt of your Excellency's letter, under date the 30th ultimo, in reply to our Address of the 15th of that month, and to repeat the expression of our cordial thanks for the additional proof which the contents of it afford of your Excellency's disposition to promote the wishes of this Government. Actuated by a corresponding solicitude to accede, on every practicable occasion, to any proposition on the part of your Excellency, directed either to your individual accommodation or to the interests of the Danish Government, we have great satisfaction in revoking the requisition for the transfer of the press of the Society of Missionaries from Serampore to this Presidency.

2. We have no doubt that the Missionaries will be disposed to observe the restrictions imposed upon them by your Excellency, and by this Government, relative to the publication of works offensive to the religious prejudices of the natives; but as the judgment of the Missionaries respecting the tendency of works which they may desire to publish, and which are intended for circulation within the territory subject to the British authority, may possibly differ from our own, we are satisfied that your Excellency will concur in the propriety of requiring the Missionaries to submit to the inspection of the officers of the British Government, works of the above description, previously to their publication.

3. We are fully convinced of the rectitude of the intentions of the Society of Missionaries; and the precautions which we deem it necessary to adopt against the unlimited employment of the press, proceed exclusively from the duty imposed upon Government of reserving to itself the authority to determine what publications may or may not expose the public tranquillity

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tranquillity to hazard, or involve a violation of the public faith; instead of leaving the decision of such important questions to the judgment of others.

4. Your Excellency having been pleased to refer to us the question, whether a translation of the Bible in the Bengallee language, is included in that description of books of which we are solicitous to prevent the circulation, we have the honour to state, that we are not aware of any objection to the promulgation of the Scriptures in that language, unaccompanied by any comments on the religions of the country.

We have the honour to be, &c. &c.

Fort William,
5th October 1807.

(A true Copy.)

(Signed) MINTO,
G. H. BARLOW.
J. LUMSDEN.

(Signed) N. B. Edmonstone,
Secretary to Government.

(Copy.)

To the Reverend W. Carey.

Sir,

I AM directed to inform you, that on a consideration of the circumstances stated by the Society of the Missionaries, in a Memorial addressed to the Right honourable the Governor General, under date the 30th ultimo, relative to the injury to which the Society would be exposed, by transferring the press from Serampore to Calcutta, the honourable the Governor General in council has been pleased to revoke the requisition to that effect, communicated to you in my letter of the 8th ultimo; the Governor General in council, however, deeming it his duty to establish a controul over the publication of works intended for circulation within the territories subject to the British authority, thinks it necessary to require the Missionaries to submit to the inspection of the officers of Government, works of the above description, previously to their publication.

2. On this occasion, I am directed to state, that the Governor General in council is fully convinced of the rectitude of the intentions of the Society of Missionaries; and that the precautions which Government deems it necessary to adopt against the unlimited employment of the press, proceed exclusively from the duty imposed upon Government of reserving to itself the authority to determine what publications may or may not expose the public tranquillity to hazard, or involve a violation of the public faith, instead of leaving the decision of such important questions to the judgment of others.

I have the honour to be, &c. &c.

Fort William,
5th October 1807.

(True Copy.)

(Signed) N. B. Edmonstone,
Secretary to Government.

(Signed) N. B. Edmonstone.

(Copy.)

To N. B. Edmonstone, Esq.

Sir,

I HAVE had the honour of receiving yours of the 5th instant, stating that the Right honourable the Governor General in council had, in consideration of circumstances, been pleased to dispense with the requisition relative to transferring the press to Calcutta, communicated in your letter of the 8th ultimo, although deeming it his duty to establish a controul over the publication of works intended for circulation within the British territories, his Lordships in council had thought it necessary to require the Missionaries to submit to the inspection of the officers of Government, works of the above description, previously to their publication.

2. The Society of Missionaries desire me on this occasion to communicate to you, that they cannot but feel duly affected with this instance of the consideration and goodness of the Right honourable the Governor General in council, and entreat you to convey to his Lordship in council their deep sense of this favour.

3. The Missionaries desire me also to express the sense they have of the goodness of the Right honourable the Governor General in council, in entertaining so favourable an opinion of the rectitude of their intentions, and to add, that conscious of their earnest wish to promote the public tranquillity by every means in their power, they shall feel happy in complying with the wishes of the Right honourable the Governor General, as expressed in the first paragraph of your letter.

I have the honour to be, &c. &c.

Mission House,
Serampore, 20th October 1807.

(True Copy.)

(Signed) W. Carey.

(Signed)

N. B. Edmonstone,
Secretary to Government.

A.

DISTINCTION.

O BELOVED Hindoos! attend to language of affection. Why do you constantly say that Crishn and Christ are the same? I will point out the Distinction, and do you judge, for he is a brute, who will not make enquiry. Let him be espoused who upon enquiry shall be found to be the true Lord; be not fearful in so doing.

Crishn was incarnated for the destruction of Cangsa—Christ incarnated to ransom sinners. Crishn was incarnated on account of a war. Know verily that Christ is the redeemer of all. Crishn called the attention only to worldly prosperity—Christ instilled doctrines for redemption in the next world. Crishn only studied his own comfort; the distress of sinners never occurred to his mind; he passed his time in gambols with the milkmaids and playing the flute.—Christ always spurned at his own comfort, and with his own body washed away the distress of sinners: He gave sight to the blind, life to the dead, speech to the dumb, hearing to the deaf: He is God, who has compassion and mercy. Beloved brethren! hear and judge. When Crishn fought with the Demon Saloo, he was not capable of protecting himself, and if India had not assisted him, Crishn would have been killed by the hands of the Demon Saloo.—The Lord Christ of his own mercy wiped away sins for the salvation of sinners. He endured endless sufferings in body to avert the punishment of sinners in hell.

When the bosom friend of Crishn fell into misfortune, Crishn was unable to go to his assistance.—Christ was capable of all things, at all times; and on all those who put their trust in him, he has bestowed salvation. When sinners come, he takes them under his protection, and they obtain salvation for ever from the torment of hell.

He is the true Redeemer and Omnipotent. Brethren, take heed and judge. Crishn was very angry when he suffered reproach: he

abused India on account of the flower Parijaut—Christ was firm under the greatest reproach, and studied to return blessings.

Crishn was the instigator of a very great war between two parties and therein an army of eighteen* Aeshauhini was killed—Christ shed his own blood to atone for sinners, and thereby innumerable sinners have obtained salvation.

He whose forgiveness is infinite is the true God. O beloved Hindoos! judge of this: Crishn caused his pious friend Judhisthir to speak falsehood, for which Judhisthir was cast into hell. But how much distress did Christ suffer for his enemies, to procure them eternal happiness in heaven.

Those who worship Crishn do not ever obtain purity in mind. But many wicked sinners who have undertaken to serve Christ, have renounced sin and become pure in mind—He who teacheth wicked sinners to become faithful.

Hear, O beloved brethren! he is the true Redeemer. Why do you worship one who has neither compassion, mercy, the power to save, religion, or power,—why is he your all?

What salvation can he bestow on you, who plungeth his own friend into sin,—can he who has not power to save himself, redeem you?

O beloved Hindoos! worship him who is infinite mercy, who has compassion, holiness and power: He is the Redeemer of all, who is called Christ: He has power to grant salvation to the greatest sinners.

He calls and says, receive my words and be delivered from terrible hell, you shall obtain the remission of sins. O holy minded and true, in the next world he will give you the eternal riches of heaven. Hear, brethren hear, why do ruin your own souls, why do you not accept of such inestimable salvation? If you accept it, you will quickly be wafted over the ocean of sin; but if you do not, you will never obtain salvation.

Printed at Serampore,
1807, or 1213.

(True Copy.)

(Signed)

N. B. Edmonstone,
Secretary to Government.

No. 7.

Enclosures in
Gov^r Gen^l's
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ting to Mis-
sionaries.

B.

The FORERUNNER of the HOLY BIBLE.

HEAR, O worldly men! hear with an attentive mind, how you may obtain salvation from terrible hell. None of you seek for that; your thoughts are constantly employed about money, about all these trifles, and this world; every one of you is incessantly contemplating this world; all these things will be necessary but for a short time; after death you will by no means have property. Know all of you, that on being born you must die, and that after death you must either go to heaven or to hell, and without remission of sins you cannot go to heaven; with downcast coun-

tenance you will be cast into awful hell. What is hell like, or what sort the torments in it? Be informed, no one of you thinks of making himself acquainted with that. Insufferable hell is filled with everlasting fire, which will never be extinguished. On falling therein, brethren, there is no further preservation, the end of eternity is a beginning to it. Ye are afraid, but afterwards fall into this awful hell. Beware, beware of this inextinguishable fire, make Christ your asylum, take an asylum, for without that, no one of you will obtain salvation. Both Hindoos and Mussulmen

* An army consisting of 21,870 chariots, 21,870 elephants, 109,350 foot soldiers, 65,610 horses.

No. 7.
Enclosures in
Gov^r Gen^l's
Letter, 2 Nov.
1807; rela-
ting to Mis-
sionaries.

Mussulmen have many sasters, the object whereof we have strictly examined, and there is no work of time redemption among them; they are sasters for the amusement of children, they are like tales.

In the Hindoo sasters there is an account of ten incarnations; let me plainly state them, and listen. In the first place there was Narrayn in the form of a fish, for the protection of Sateebroto.

The second was a tortoise, for the support of the earth; the third a boar, to lift it up; the fourth was the man lion, to destroy the demons; in the fifth, the dwarf took Bali to hell; in the sixth, Parrusram destroyed the Khitrees; in the seventh, Ramchunder killed Kabon; in the eighth, Christna killed Canga; and in the ninth, Buddha manifested the Buddhites. And if the story of the nine incarnations be true, still there is no redeemer. What will you do, how will you be redeemed from sin?—but we will point out a remedy.

We formerly had a similar sastra, but when we obtained the Great Sastra, we renounced that. Allow us to give you some information concerning it. If you be desirous of a remedy, attend and hear.

At that time, when the Almighty had finished the creation, he gave a mighty order to all men. He gave an account of heaven and hell. He pointed out the distinction between right and wrong. Hear all of you my infallible order, what I say, I will do, that is certain. If any be pure and practise holiness, I will give them matchless glory in heaven; but if any one sin, I will certainly cast him into eternal fire.

This is the primary order of God, after which mankind became wicked, and God knew it, but there was no redemption, and he ordered that some remedy should be provided. Through his mercy there was a provision for the redemption of sinners. If any person should assume birth on earth, and take upon himself the torment of sinners, those sinners who sincerely believe in him should be redeemed; and there was an incarnation of Jesus, the protector of the unprotected, full of the splendour of God, having been separated from his body in a column of splendour before him. He said, "I will take birth on earth, and suffer all the torment of sins on my body. Whatever sinners take refuge under my protection, you will grant them salvation." God said, "Yes, this is my promise, I will redeem them. Mortals are under thy protection." After which, the Lord was conceived in the country of Judea, according to prophecy, in the womb of a woman. During his life on earth, he took the name of Jesus Christ, and he performed many miracles in various places. The blind received sight, the dead, life: he did many such miracles, he was so great. And he fulfilled the sayings of the prophets, and was killed by the hands of the people of his own nation, and gave up his life under various kinds of torment, and after three days he arose again;

and because he suffered torment in his body for sins, therefore he was denominated Saviour of Sinners.

Christ did not die like people in general; he suffered much torment, and died miraculously.

When he took upon himself to suffer for us, his torment was intolerable; amidst these sufferings, he called out and said, "O God! why hast thou forsaken me, and left me in the hands of sinners?" And they spit upon him, vexed him and mocked him, and put a crown of thorns upon his head, and fixed his feet and hands upon a cross with nails, and when they had inflicted severe punishment upon him, they killed him; they pierced his breast with nails, and exhausted him, and when he shed his blood, they caused him to drink vinegar mixed with galls, and having tormented him in this manner, they killed him; they fastened two thieves, one on his right hand and one on his left, and when they had disgraced him in this manner, they killed him. In this manner died the Saviour of the World. On his own body he suffered the torment of sinners; and it was requisite for him to do so; without that, God would not have redeemed mankind. He paid the ransom of all sinners, and according to the security which he gave, so it came to pass. His death was the preservation of our life; his sufferings were the source of joy to the whole of us; the sufferings of Jesus Christ atoned to God for the torment of eternal Hell fire. God accepted of all that, and the faith of Jesus Christ, for the sake of sinners. He accepted of the death of Jesus Christ in exchange for the eternal death of sinners. As righteousness was the garment of Jesus Christ, so let us make faith in him our vesture. We go before God after death. Can you go in the presence of God? You cannot go before God by taking the name of Ram Chrishn Sheeb, or any other deity, seeing all those sinners was an abomination to the Lord. They will suffer eternal torment in awful Hell; but it is a great consolation to his mind to hear of the works and name of Christ.

Christ is now with God for the redemption of sinners who worship him. Those who die worshippers of him on earth, he cheerfully takes to the mansion of Heaven. Hear, hear, O people! hear my words. A copious work on this subject, named the Gospel, was first in the Hebrew and Greek: from these, the English made a translation of it; but not they alone; various other nations made a translation of this great and principal Sastra. The French, Dutch, Germans, Danes, Armenians, and various others, copied it. It went to America and Africa, and all other countries, and to all the principal islands. This holy book went to all these countries, and even in Malabar it was translated into Hindee. Whoever obtained this holy book renounced all previous sastras, and espoused it. It has now been translated into the Bengally language, and printed. Any one who wishes to hear this work, may come to Serampore, and we will read it to him.

Printed at Serampore, 1806—1213.

(A true Copy.)

(Signed)

N. B. Edmonstone,

Secretary to Government.

C.

Book called "The RISE of WISDOM."—(In verse.)

1 Hear a mortal with an attentive mind, this discourse about Salvation, a mysterious subject.

2 If you be not saved, and fall downward, thy misery then, O brother! will be great.

3 Who can describe the extent of that misery? it cannot, O brother! be conjectured by the deepest reflection.

4 You know nothing of it, you have not heard of it, how can you know then the reality of it?

5 In that unquenchable fire which is beyond the power of description or contemplation, they who are in hell are crying and lamenting.

6 What will be the remedy, O brother! if you fall into it, the torments are manifold, where will you find an end to them?

7 The sufferings of hell, O brother! are endless; there is no end to them, and they are extremely severe.

8 Many of you have the sastras compiled by men, and say, "if we commit deadly sins now,"

9 "We shall remain some time in hell, and having received due punishment, be born again on earth."

10 All these are vain hopes, false and deceitful; no wise man entertains them.

11 You do not know the distinction between Righteousness and Sin, or Heaven and Hell; you have become ignorant, from the use of the misleading shastras.

12 Moreover, the shastras of this country say, that men who reason the truth of the Vedas, will be born Chandalas.

13 Through this fear nobody investigates them, in consequence of which, this pernicious shastra is not exposed.

14 The Brahmans, with a view to their private gain, never allow the Shastras to read them.

15 The ignorant Shastras, who are not remarkable for understanding, dance about by command of the Brahmans, as the monkeys of a monkey dancer.

16 They put the most implicit confidence in the words of Brahmans, not knowing that the Brahmans are deceitful and wicked.

17 The Brahmans composed written works for their own gain, to deceive the Shastras.

18 Hear, hear, O Brahmans! we speak to you all. It is but just to assist those who are under your protection.

19 All the Shastras race that are here, serve you as your servants.

20 They are perfectly confident that they will obtain salvation from the feet of Brahmans.

21 But you have propagated false and deceitful shastras, in order to take their property.

22 What conduct is this that you practice, O Brahmans! how can you practice so much fraud through covetousness for wealth?

23 Had you taken the money of the Shastras by practising any other mode of fraud, so many of them would not then be doomed to hell.

24 They take your words to be the doctrine of righteousness, while you do evil actions and deceive them.

25 Let riches be lost, and even put life out of the question; but you have made them depart from righteousness, and doomed them to hell.

26 Many have fallen in that vast and unextinguishable fire of hell, and are incessantly crying out, O save, save, save!

27 Now what are they to do, say, O Brahmans! what remedy is there for them?

28 You diffused a false doctrine for the sake of wealth, and have effected the total ruin of all.

29 You have thrown a vast number of the most excellent of the creation, into hell fire; do not suppose your ancestors have escaped safe.

30 They are likewise suffering great torments in hell, with their families.

31 You will not believe that now, you are intoxicated with pride, and hearing you will not hear.

32 Discontinue this deception, O Brahmans! free yourselves from pride, never put deception and guile into practice any more.

33 All these Shastras are ignorant, and have no understanding; they immediately do whatever you tell them.

34 They are entirely under your protection; what great advantage is there in deceiving the protected?

35 For the sake of trifling gain to destroy those who have no other asylum left, is certainly a great injustice.

36 Hear, O Brahmans! you will never derive any good by deceiving all those ignorant people.

37 For a transient pleasure in this world, do not thus consume in hell those who have taken your protection.

38 Who else has such refuges? for the Shastras say, the Brahmans are gods.

39 Say, O Brahmans! what honour is there greater than this, they reverence you as gods, while you are the most despicable of men.

40 They have such faith in your words, that they all say, all the holy places are concentrated in the foot of a Brahman.

41 They receive the water of your feet, and believe it to be the Supreme God himself; and apply some of it to their breast, some on the head, and drink part of it.

42 All the Shastras have ever been under your subjection, as dogs are ever attendant on European gentlemen.

43 They do whatever the European gentlemen direct them, and throw themselves into water on a signal given.

44 All men serve you in this manner; the women also, confiding on what you say, commit themselves to flames on the death of their husbands abroad.

45 They take your words to be the most essential; they believe them, and sacrifice themselves.

46 Speak, O Brahmans! such you have seen occur

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ting to Mis-
sionaries.

occur in the world, still you have not the smallest grain of compassion.

47. You are ever meditating how you will obtain their property, by rehearsing deceitful shastras to them.

48 What sort of men are you, and what sort of usage is yours; is there not the smallest degree of pity and compassion in you?

49 They put confidence in your words and believe them; but how are they to know that you are treacherous?

50 You are deceivers; malicious, artful, pernicious and profligate, and thus destroy those who are under your protection.

51 What do you think in your own minds? speak, speak, O Brahmins! declare the truth.

52 Perhaps you say, "We are born Brahmins, eminent above the four classes, and are very great men."

53 "We will pass our days here, practising fraud, and ascend heaven in a car in glory."

54 "We are tutors of all, being of the Brahmin tribe, and the Lord of creation will not write down our sins."

55 "But should there be sins laid against us at any time, we will say the Gayatri once, and wash them away."

56 With such sentiments, and practising fraud, you conceive that the dangers of this life are to be surmounted.

57 You are perhaps confident of this thought, "We are the most rare race of created beings in this world."

58 "We shall never be subject to torments for sin; we shall go to heaven after death in the most easy manner."

59 This hope shall vanish. Hear, O Brahmins! you are all the meanest of mankind in this world.

60 All other people committed sin through ignorance, but your sufferings shall be greater than theirs.

61 You are deceivers, the betrayers of confidence and profligate; you have destroyed others by deception.

62 You now hope to go to heaven in an easy way; never entertain such a vain hope.

63 You are the greatest sinners in this world, and have moreover deceived every one by deception.

64 There is not deception only, but breach of confidence; who else can be greater sinners than you?

65 Treachery in this world is but a slight matter; they do not practise it in the next world, therefore your hopes are vanished.

66 What have you done, O Brahmins! what have you done! you have afflicted those who took refuge with you, and have thrown yourselves into hell.

67 Why have you committed such foul actions, O evil minded! if you desist now, you will be saved.

68 Do not be angry, O Brahmins! we are giving you good advice; be attentive and hear a wonderful story.

69 You do not daily compose, we suppose, such useless shastras as are extant now.

70 You are now obtaining the means of your livelihood through all these shastras and ancient books.

71 You know yourselves, that your ancestors composed all these.

72 They wrote all these false shastras for the purpose of elevating their own tribe.

73 Such is the root of this your trade; you deceive, take money, and preserve your tribe and families.

74 Hear—we speak to you by entreaty—never commit such foul actions.

75 Do not be guilty of sin, we tell you, O Brahmins! and do not burn yourselves in hell so easily.

76 Hell-fire is dreadful, in which there is nothing but torment; and what those torments are no body can describe.

77 In hell the torments are infinitely greater than can come within conception.

78 Those sufferings are eternal. Hear, O Brahmins! he who once comes under them,

79 Has no relief from the same at any time, he is without remedy; know this for truth.

80 Your ancestors lived before you, and died in the practice of these deceitful shastras.

81 Who can describe their misery, O brethren! they are lamenting in hell, from which there is no relief.

82 You will not believe all this now, but you will know it immediately after you quit your bodies.

83 When your souls quit your bodies, your understanding will be as radiant as the sun.

84 Then your soul will see all clearly, and perceive all that you have been, either good or bad.

85 After death the righteous are exceedingly happy, but the sinners are unhappy in the same degree.

86 Hear, O despicable Brahmins! and be attentive, if you are in the practice of these acts.

87 No sooner you are dead than your souls shall quit your bodies, and have a clear understanding.

88 Whatever you have done shall then clearly appear; you will be exceedingly astonished and tremble inwardly.

89 You will then see all these things yourselves, and know that there is no remedy.

90 You will then see that there is no place to flee to, you will lament and fall downward.

91 "What have we done—what has happened to us—why did we sin?"—You will reflect thus yourselves and be afflicted.

92 "O there is no remedy left for us!"—You will say thus, and all of you go to hell.

93 The vast hell-fire is burning in great flames; the fire of hell is not trifling.

94 That hell from which there is no relief, is the wrath of God; it has no end, nor is there any likeness thereof.

95 Such will befall those who are thrown into it, there is death, but the torments are great.

96 The body will not be consumed at once, but will burn by slow degrees as sawdust.

97 When it has burnt for an eternal length of time, even then not a single hair of the body shall be consumed to ashes.

98 Nothing can be said of the torments in hell, such dreadful sufferings shall be your lot, O Brahmins!

99 Do

99 Do not be angry, O Brahmins! I will relate you something else—attentively hear it.

100 You do not know all this, but you think and say, "We act according to our own shastras."

101 "Our shastras are great, they are dictated by God, there is no doubt of this."

102. "We perform the acts enjoined by religion, and he who acts otherwise shall go to hell."

103 "We perform the morning avocations, bathe in the morning, and say the morning prayers, and perform the religious ceremonies; and also perform the noon and evening ceremonies without interruption."

104 "We are always pure, and never commit any sin; we say the Gayatric in the day and night."

105 "We have frequented many holy places, and bathed in the Ganges; we have lived at Benares for a long time."

106 "We have atoned by expiations the sins we committed willingly."

107 "We have many times bathed in the Ganges, by which act men are rendered free from sins."

108 "Some of us have families and manage household affairs, and perform the anniversary funeral obsequies of our departed parents, and other religious acts."

109 "Some of us become Sanysis, and roam about the world, having abandoned our wives."

110 "We variously worship the images and other things that we make, and also worship Crishna."

111 "Having performed such pious acts, we shall after death go to heaven in a celestial car."

112 "But should we have ever committed any sin, we have made an equivalent expiation, which is an atonement enjoined by religion."

113 "Sins are washed away by expiations, we shall therefore easily go to heaven, there is no doubt."

114 "But should any die without performing expiatory acts, he shall receive the rewards and punishments of his good and evil acts."

115 "He shall receive the punishment due to his sins in hell, and come back again and be born on earth."

116 "We perform the expiations enjoined, and shall go to heaven cheerfully after death."

117 "We have done all this, and shall certainly go to heaven;" but Carey says, "You have all fallen in a great error."

118 All these shastras were not composed by God; men wrote them for their private gain.

119 These are not shastras, but vulgar stories, and you never examine them.

120 If you investigate all those shastras, they will immediately appear to be vulgar stories.

121 There was some one vulgar and profligate person, he was evil minded, and acquired knowledge by personal exertions.

122 He composed those deceitful shastras, became himself a sufferer, and made others sufferers also.

123 Your pride is very great in the confidence of such shastras, the very hearing of which is considered sin.

124 Do you come, I will discuss your shastras, and convince you these are vulgar deceptions.

125 Relate the particulars of shastras, O Brahmins! a true shastra describes the path which leads to God.

126 Your doctrine says, "a man who dies in this world,"

127 "Goes either to heaven or hell, in order to suffer for his actions, and after some time is born again."

128 "After having passed eighty hundred thousand different wombs, he is born of the human kind;"

129 "And having performed good actions, he receives final salvation: after which, he has no more trouble."

130 This is the language of a child, and a mere tale—how can such things be probable?

131 Answer all the questions which I put to you, O Brahmins! and your deception will immediately appear.

132 God is eternal; you do not know his end; his greatness is boundless, and his attributes infinite.

133 The universe consists of fourteen worlds, which the immense Male holds in the cavity of a single hair.

134 Such immense Males are created by Lacks every moment—who can ascertain such sports of deity?

135 Consequently no one can say whether God has a shape, or whether he is shapeless.

136 His mercy is eternal, so is his wrath, and his commands are equally so.

137 If God be such, and his commands be so, his anger and his mercy are both infinite.

138 Why do you not understand heaven and hell to be so likewise? righteousness and sin are never otherwise.

139 If one become righteous, he goes to heaven through God's kindness, but he commits the sinner to hell in his wrath.

140 Say, O Brahmins! if God be eternal, his kindness is also eternal, there is no doubt.

141 His anger is also such; it cannot be otherwise; and punishment of hell is likewise of the same kind.

142 If the act which he has forbidden, be called sin, it is a matter of the greatest importance, and not a trifle.

143 His prohibition is durable, as he is himself infinite and beyond conception.

144 God made hell alone to be the place of punishment for such sins.

145 It is boundless and without end, from which there is no exoneration, even in endless duration.

146 Say, O Brahmins! if any falls into it, how can he be delivered from it by trifles?—state the reasons for it.

147 He will receive an endless punishment for an endless transgression,—say, O Brahmins! how can salvation be got by a little?

148 If condign correction be received, it will not decrease even in endless and eternal time.

149 Do not put your trust in false religion, O people! for you shall certainly be undone by it.

T

150. Speak

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ting to Mis-
sionaries.

150 Speak, O Brahmins! how can you say that if one sins, he shall remain for some short time in hell.

151 In the confidence of this deceitful promise of yours, no body has the fear of sin in his heart.

152 I say a word, hear it all men; he who is born of flesh and blood,

153 And is subject to covetousness, forgetfulness, &c. is incessantly inclined to commit sin.

154 Independently of this, they receive hope from you that they will inhabit heaven after a short time.

155 They therefore attach the minds to sin, from which the wicked never return again.

156 People remain joyful in the delights of sin, and commit it by millions, in various modes.

157. In this manner every one gladly commits sin every moment until death.

158 They pass their time in the commission of sin; but Carey says, they will fall into great trouble after death.

159 When the soul quits the body and is off, she will be far from covetousness, stupefaction, desire and anger:

160 She will immediately have a clear understanding, and plainly see what is sin, righteousness, good and evil:

161 She will then see no remedy, and lament, and beat her head in despair.

162 Say, O Brahmins! what remedy shall she adopt—she will know you to be the cause of her ruin.

163 The Sudras are ignorant, their intellects is like that of beasts, and they do not examine this guile.

164 Your religion also directs, hear all men, the worship of the gods for the expiation of sin.

165 If a prince or a sovereign wishes to derive any moral good, you direct him to worship the Gods, and satisfies the Brahmins.

166 You say, worship the God of gods Mahadwa, (great God) who bestows salvation to sinners.

167 Hear, O Brahmins! hear with attention, this is most excellent advice; every one has said so.

168 The God of gods, Mahadwa, is himself God, and not otherwise, it is true.

169 Sins can be cleansed away by the worship of God, but put your belief in his commands, O men!

170 In the worship of God, there is approach to truth; but they did not teach you such, and deceived you.

171 You perform the worship thereof, with various articles, and think thereby to be saved from the torments of hell.

172 The ignorant Sudras say, "perhaps it is so, and he who worships this Phallas shall be saved."

173 Hear, O mean Brahmins! what are you? I do not know what sort of people you are.

174 Mahadwa, (the great God) is a word excellent in sound, Mahadwa certainly signifies God.

175 His form, O Brahmins! is unalterable: he is all luminous, and he alone perfectly happy.

176 Who can relate his greatness and his attributes,—you know what Pushadauta said in Mahimna.

177 Who can tell his greatness and attributes! they are beyond words and conception.

178 Such a God of gods, and Creator of the world, you treat with indecency.

179 You deceive the people, and profane the gods, and say that all this is ordained in the shaster.

180 Hear, O mean Brahmins! you are all shameless. What occasion has God for male and female organs of generation?

181 For the sake of the world, he created male and female beings.

182 Carey says, Tell me, O Brahmins! what will be the case,—how will you get clear of the torments in hell?

183 When sin is committed, there is no relief from terrible hell—how will you receive deliberance from that dread?

184 Your shasters say, on the authority of the orders, that sins are cleansed away by expiation.

185 This is no great wonder, it is true. Suitable punishment is given for transgression.

186 If any one commit sin, and performs an equivalent expiation, he is saved.

187 The commission of that which is prohibited by God, is, sin—his fire is eternal,—who knows the truth thereof?

188 As God is, so is his command; and know it for truth, that his prohibition is also the same.

189 Then know that sin is an important thing; it is everlasting, and certainly has no bounds.

190 Say, O Brahmins! that if sin be everlasting, what expiation equivalent thereto has been enjoined by the shastras?

191 You say, that if any one commit sin, he can be delivered from it by expending a few couries.

192 Say, O Brahmins! how have you judged in this matter? can couries of trifling value be an equivalent to eternal sin?

193 The treatise that you have written on expiations, is only to deceive for the sake of gain.

194 Say, O Brahmins! how you consider the case? consider this to be a shameful act.

195 Out of covetousness for a pittance of riches, you are deceiving and throwing people into hell.

196 The people are stupid, and void of understanding as beasts; they take your words to be the truth of all truths.

197 You deceive all these mean people. What good act do you perform?

198 What you relate to the people as a shastra, is not so, but guile and deception.

199 You also say that the Ganges is a deliverer of sinners; if men bathe in it they are free from sin.

200 Say, O Brahmins! what are the criterions of one delivered from sin; to whom do we call cleansed sin?

201 In the shastra it is said that all men are full of sin; know of nobody is free from it.

202 Evil actions and evil disposition are the cause of sin; and covetousness, insensibility, and so forth, are promoters of sin.

203 These

203 These are in every man; all men are sinners; there is no man ever free from sin.

204 The following is the characteristic of one cleansed from sin; it is said in your doctrine, if any person is ever free from sin,

205 He is immediately endowed with a divine wisdom; and these are the criterions of a divine wisdom:

206 He always considers sin to be like that which is forbidden to be eat, and with him a pious act is like unto a delicious dish.

207 On the sight of sin, he runs away immediately; these are the criterions of one free from sin.

208 He never has an inclination to sin: say, O Brahmins! who ever became so?

209 He who always bathed in the Ganges ever since his birth, was never from his evil intentions.

210 Evil intentions and evil actions are always equally the same to him; his mind is always the same, and never otherwise.

211 Say, O Brahmins! if the Ganges washed away sins, sinners would receive divine wisdom immediately after bathing in it.

212 All the shastras are nothing but guile and deception; they are false fabrications of yours for your private gain.

213 What abject people are you, confess, O Brahmins! you even define God to be abject.

214 You say that the Ganges is the deliverer of sinners, and that the great Vishnu himself became fluid.

215 The great Vishnu is himself God, and becoming liquid, took up his abode in Nahina's vase.

216 He afterwards took up his abode on the head of Shiva; and thus the great one becoming liquid is the deliverer of sinners.

217 You then describe him as a female, and set forth that he was the concubine of Raja Santanee Raja.

218 What an indecent expression is this, O Brahmins! We know not why you are so vulgar.

219 You deceive men and speak profanely of God; what sort of men are you, O Brahmins!

220 You do not entertain any fear, O eminent Brahmins! respecting that dreadful hell which shall be your lot.

221 You are inebriated with the intoxication of sublunary things, and do not see with your eyes; but dreadful hell cannot be escaped from after death.

222 Nothing can be said of the sufferings thereof; you will even suffer the most excruciating torments.

223 You do not think of these matters yourselves, O Brahmins! you are drunk with the intoxication of sports, and dance both night and day.

224 What do you dance, and what do you sing, or what is your common usage? Hear, there is certainly an awful will after death.

225 Dreadful will be your distress after death; you will fall into hell, and cry out, O save! O save!

226 Who can describe all those sufferings, O Brahmins! such great affliction will be the lot of you all, O brethren!

227 The eye of your understanding is blind; you have no consideration; and con-

sequently, O Brahmins! you do not think of the matter.

228 Hearing these particulars respecting you, many of us were touched with great sorrow.

229 We consulted together, and came from Europe on ships.

230 Our coming here with an afflicted mind is only for the sake of averting your evil.

231 Hear, hear, O all men! hear the truth! We are sensibly afflicted with grief on your account.

232 You and we are all born from the same stock, and therefore verily know that we are brothers.

233 If our brother falls into distress, the other brothers of his are never easy.

234 We see your distress in the same manner, and cannot close our eye-lids through grief.

235 Hearing all this in Europe, we have come here at different times.

236 We have seen here, after our arrival, more than we heard in Europe.

237 What is this that you do, O Brahmins? you make an image, and say, this is the most immaculate.

238 You bring heaps of eatables, and place the same before it, and worship it.

239 Say, O people, what is this style of judgment? You ridicule God! O licentious!

240 These terrible sins shall never be washed away, O people! What perdition is this that you effect without cause?

241 You will certainly receive punishment for all these acts, and not be saved from hell, out of which there is no release.

242 There is an immense fire in awful hell; they are crying and lamenting there.

243 There is no remedy when one falls into it; its torment does not decrease even in eternal duration.

244 Therefore, then shall be mighty affliction after death; but if care is taken now, it can be averted.

245 If your fear of hell be great, we can tell you the remedy thereof.

246 If you be attentive and hear, and if you keep this word in mind,

247 We can tell you a remedy, if you will abandon deception and fraud.

248 Hear all men; keep your mind steady; the words conveying the means to obtain salvation, are an ocean of nectar.

249 Attentively listen, all ye men, and we will recount the particulars how sins can be washed away.

250 Such was also the usage in our country in ancient times, afterwards teachers came there themselves.

251 They came and communicated this news, from which were received means to obtain salvation.

252 They brought happy tidings to our country, and thence was published the Book of Righteousness.

253 Such was also our religion before; after receiving the Book of Righteousness we were satisfied.

254 You are in the same manner great sinners, you do not in the least reflect on righteousness or sin.

255 You are all void of sense, and have no eyes to your understanding, and consequently are not at all uneasy about sin.

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256 If you receive this Book of Righteousness, the eyes of your understanding will be opened, and you will see all.

257 Be attentive and hear with a steady mind; we will tell you the truth of happiness, a wonderful discourse.

258 Be attentive and hear; we will tell you how you shall be saved, and be washed from sin.

259 You are first anxious to commit sins, and afterwards consider of what has passed.

260 Quit all the worships that are in your country, and do not perform them any more, any of you.

261 Whatever worships and prayers you have made agreeably to your shastras, consider as useless and futile from this day.

262 All your doctrines are guilt and deceit, and are for the private gain of Brahmins only.

263 Forsake them now, and make your mind firm, and hear the word of Wisdom with a fixed mind.

264 Christ descended on earth for the purpose of expiating sins, as is written in the Book of Righteousness the Evangelists.

265 Believe in him and obey his commands; he alone is the protector of the friendless to save.

266 Who he is, where he is, whose son he is, and why he was born here,

267 How he was born, with all these

matters, men, are to be learnt from the Evangelists.

268 From which we will briefly relate you something, so that this Book of Righteousness be made public.

269 All the acts are therefore fulfilled. O sinners! come now to Christ.

270 The sinner who verily believes in him shall have nothing to fear of hell.

271 In order to expiate for great sinners, Christ received the torments of sin on his own body.

272 Christ suffered and quitted life, and became an ample expiation for sins.

273 Therefore, hear, O men, there is no more fear; come to Christ in order to be saved.

274 Obey his facile commands, and you sinners shall be saved through his righteousness.

275 We therefore have no more to fear, success and welfare are certainly ours.

276 Do not fear any more, O sinners! bear love to Christ, and you will be saved.

277 Do not entertain any fear of cast or race, these are finite and of short duration.

278 Cast never goes with any body after death, is was instituted here by Brahmins for the sake of gain.

279 Be acquainted with the Book of Righteousness, and Christ the essence of all. God says, every one shall be saved through him.

(A True Copy.)

(Signed)

N. B. Edmonstone, Secretary to Government.

Extract of a Letter from the Court of Directors, to the Governor General in Council at Fort William in Bengal; dated 7th September 1808.

PARA. 1. WE have received by the General Stuart, your letter of the 2d November last, addressed to the Secret Committee, on the subject of certain publications which had issued from the Missionary press at Serampore, and detailing the proceedings which you had thought it advisable to adopt with regard to them.

2. Whatever is connected with an attempt to introduce Christianity among the natives of British India, cannot but be felt as a subject of the greatest importance, and of the greatest delicacy, and we lament that circumstances should have occurred in any part of our territories, to call for the interference of our Government in matters of that description. We are anxious that it should be distinctly understood, that we are very far from being averse to the introduction of Christianity into India, or indifferent to the benefits which would result from the general diffusion of its doctrines; but we have a fixed and settled opinion, that nothing could be more unwise and impolitic, nothing even more likely to frustrate the hopes and endeavours of those who aim at the very object, the introduction of Christianity among the native inhabitants, than any imprudent or injudicious attempt to introduce it by means which should irritate and alarm their religious prejudices. That the publication which first excited your attention, as well as the paper which you transmitted to us, marked C. entitled "The Rise of Wisdom," is calculated to produce those effects, we conceive can admit of no doubt, and we entirely approve of your endeavours to interrupt the circulation of them. Indeed the Missionaries themselves seem to regret and to condemn their publication; perhaps some doubt might be fairly entertained whether a considerable part of the paper marked B. was of a nature to have excited similar feelings, if the other publications did not prepare the mind to receive with some jealousy any works which issued from the same press. In suggesting the possibility of this doubt, we by no means intend to convey any disapprobation of that prudent precaution which led you to prevent the further publication of this last, together with those which appear to us to be more unquestionably exceptionable. It is a matter of great difficulty to draw the line which should at once describe and characterize the publications which might be permitted to be considered as inoffensive; and at the same time distinguish them from those which a proper precaution would suppress; and at this distance from the scene of Government, we can only state to you those general principles which we are desirous should direct your conduct upon this point; for this purpose, we would refer you to a passage in our political letter to Fort St. George of the 29th May 1807, in which we briefly intimated, in the following terms, our sentiments of what the character and conduct

duct of Christian Missionaries in India, and the carriage of the Company's Government towards them ought to be. "When we afforded our countenance and sanction to the Missionaries who have from time to time proceeded to India for the purpose of propagating the Christian religion, it was far from being in our contemplation to add the influence of our authority to any attempts they might make; for on the contrary we were perfectly aware that the progress of real conversion would be gradual and slow, arising more from a conviction of the purity of the principles of our religion itself, and from the pious example of its teachers, than from any undue influence, or from the exertions of authority, which are never to be resorted to in such cases." In the same spirit we would still wish to affirm as a principle, the desirableness of imparting the knowledge of Christianity to the natives of British India; but we must also contend, that the means to be used for that end, shall be only such as shall be free from any political danger or alarm.

3. With these two positions, which appear to us to be fundamental on the subject in question, the 39th Para. of your despatch now before us, in substance corresponds, for you there, after acknowledging "your entire conviction of the correctness of the statement, which the Memorial of the Missionaries contains, relative to the motives and objects of their zeal for the propagation of the sacred doctrines of Christianity," observe, "our duty as guardians of the public welfare, and even a consentaneous solicitude for the diffusion of the blessings of Christianity, merely require us to restrain the efforts of that commendable zeal within those limits, the transgression of which would, in our decided judgment, expose to hazard the public safety and tranquillity, without promoting its intended object." Agreeing then with you in general views on this question, and impressed with the necessity of leaving the application of these principles to the discretion of the Government upon the spot, we feel that we have but little further to suggest to you upon that part of the subject.

4. We observe with great satisfaction the temperate and respectful conduct of the Society of Missionaries, in the discussions which took place on the subject of the publications to which your attention was directed, and of the measures which you felt yourselves called upon to adopt; and we entirely approve of the permission which you granted to them of continuing their press at Serampore. Their residence at that place would probably be attended with little additional inconvenience to your Government, and we conclude, moreover, that the British authority has long ago been established at the different Danish settlements in India. We are well aware that the progress of the Missionaries, both Catholic and Protestant, for a long period of years, has not been attended with injurious consequences: their numbers have not been sufficient to excite alarm, and their general conduct has been prudent and conciliatory; and we have no reason to suppose that the mere circulation, in a peaceable and unobtrusive manner, of translations of the Scriptures, is likely to be attended with consequences dangerous to the public safety.

5. The paramount power which we now possess in India, undoubtedly demands from us additional caution upon this subject; it imposes upon us the necessity, as well as strengthens our obligation, to protect the native inhabitants in the free and undisturbed profession of their religious opinions, and to take care that they are neither harassed nor irritated by any premature or over-zealous attempts to convert them to Christianity.

6. In conveying to you our approbation of the controul which you had determined to exercise with regard to such publications as might issue from the press of the Missionaries, we trust that it will be found not only salutary to the interests of Government, but even satisfactory to the considerate part of the Missionaries themselves. They must be aware that it is quite consistent with doing all justice to the excellency of the motives on which they act, to apprehend that their zeal may sometimes require a check, and that it may be useful and necessary to introduce the controul or superintendence of Government; whose responsibility for the public tranquillity, will force it to direct its views to those political considerations, which the zeal of the Missionaries might overlook.

7. If, indeed, you had foreseen that the Missionaries would have shown that entire and ready submissiveness to Government, which their conduct has manifested, we think you would have doubted of the expediency of holding, under the circumstances you have described, a public proceeding upon their transactions; and we would only suggest, that if on any future occasion any fresh precautionary measures should become indispensable, and the interference of Government be again required, it would be desirable, in the first instance at least, to see whether a private communication from the Governor General might not effect all that is desired, without bringing into view the instrumentality of Government. Its authority cannot be seen actively to controul any of their proceedings, without exposing it to the inference of specially sanctioning and countenancing such publications and such conduct as it does not prevent, and thereby making the Government in some degree a party to the acts of the Missionaries, and making the Missionaries appear in the character of the agents of Government.

8. In adverting to your prohibition of the public preaching in Calcutta to the Hindoos and Mahomedans. At the time when we approve of this measure of precaution, we do not understand you to object to the Missionaries decently performing, at their usual places of residence, the duties of their religion, in chapels or rooms, at which admittance may be given to their Converts or to other Christians. We presume that the number of chaplains

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which we have appropriated for the performance of religious duties at Calcutta, is sufficient for all the British or other inhabitants of that place who comprehend the English language; but we do not recollect it to have been your intention to preclude other Christians there from hearing Divine Service performed in a language which they understand.

9. Having thus explained to you, as briefly as possible, the principles on which we wish you to act with regard to the Missionaries, it remains for us only to advert to your suggestion, that we should "discourage any accession to the number of Missionaries actually employed under the protection of the British Government in India in the work of conversion." You are of course aware that many of the meritorious individuals who have devoted themselves to those labours, were not British subjects, or living under our authority; and that none of the Missionaries have proceeded to Bengal with our licence.

10. Entertaining the sentiments which we have expressed in the preceding parts of this despatch, we are very far from disapproving of your having refrained from resorting to the authority vested in you by law, and enforcing its provisions in all their strictness against the Missionaries, and we rely on your discretion, that you will abstain from all unnecessary or ostentatious interference with their proceedings. On the other hand, it will be your bounden duty vigilantly to guard the public tranquillity from interruption, and to impress upon the minds of all the inhabitants of India, that the British faith, on which they rely for the free exercise of their religion, will be inviolably maintained.

No. 8.

Copy of a LETTER from the *Bengal* Government to the Secret Committee of the Court of Directors, dated the 7th December 1807, together with the several Enclosures accompanying the same; on the subject of MISSIONARIES: also, Extract of a Letter from the Court of Directors, dated 7th September 1808; in reply to the said Letter.

To the Honourable the Secret Committee of the Honourable the Court of Directors.

Honourable Sirs,

THE Governor General has judged it to be his duty to communicate to the Board, a Letter and Memorial addressed to his Lordship by the Reverend Mr. Buchanan, one of the Chaplains of this Presidency, in consequence of the measures adopted by this Government, relatively to the proceedings of the Society of Missionaries for the propagation of the Gospel, (the details of which we had the honour to report to your honourable Committee in our despatch of the 2d ultimo.) That Memorial containing animadversions on the measures to which we have adverted, introduced in a manner which we consider to be personally disrespectful to the Governor General, as well as disrespectful to the Government, and ascribing to both, motives and principles of action, of a nature injurious to the character of the British Administration in India; we deem it proper to transmit to your honourable Committee the enclosed copies of that Letter and Memorial, and at the same time to state such observations as the tenor of the latter appears to us to render necessary.

2. Of the acts which Mr. Buchanan has stated as the acts of the British Government in India, and the circumstances of which Mr. Buchanan has explained and censured under the present Governor General's supposed ignorance of them, the principal are those which formed the subject of our despatch to your honourable Committee of the 2d ultimo; and all are referred ostensibly to the prejudices and counsel of the officers of Government; and Mr. Buchanan has ascribed to the late and present Government, the adoption of measures directed to the object of opposing the progress of Christianity in India, on the foundation of opinions inculcated by its officers. The comments on the late measures of the present administration, contained in Mr. Buchanan's Memorial, are founded on the disrespectful and unauthorized presumption, that the Governor General, regardless of the first principle of his public duty, has blindly submitted to the guidance of the subordinate officers of Government, and adopted measures of the highest importance, without a previous consideration of their origin and tendency, and even without a previous knowledge of the nature of them; and your honourable Committee will observe, that Mr. Buchanan has described to his Lordship, as points of information, acts and opinions sanctioned by his own official signature as Governor General in council.

3. It cannot however escape observation, that the real design of the Memorial is to impute to the Government those principles of action which are ostensibly ascribed to its officers; and under any circumstances, it is incumbent on us to obviate a misconception of the motives and objects of the recent measures of this Government, which a perusal of the Memorial might occasion, if the errors of its statements should remain unexplained.

4. With this view it is not necessary to enter into a discussion of the accuracy of all the facts alleged by Mr. Buchanan. It will be sufficient to notice those leading points of the Memorial on which is founded the extraordinary imputation of a systematic design, and an actual attempt, on the part of the present Administration, to support the interests of the religions of this country, by preventing the diffusion of Christianity within the limits of the British dominions in India.

5. Mr. Buchanan has contrasted the encouragement afforded to the propagation of Christianity under former Governments, with a supposed opposition to it under the last and present Administrations. It will be found however, that those proceedings of the Missionaries which have attracted the attention of this Government, are of a character entirely new, or such at least as had not come under the observation of Government. We allude to the practice of public preaching in the native language at the seat of Government, and to the circulation of printed works in the same languages, on topics and in terms grossly offensive to the religious prejudices of our native subjects.

6. With respect to the practice of public preaching to the unconverted natives of this country, on topics of this nature, we deem the prohibition of it to be consistent with the principles and practice of those countries in which the most liberal toleration is established for all religions, and consonant specifically with the principles and practice of the British Government and nation. In England, persons who profess the Roman Catholic faith, may assemble and assist at the performance of the rites of their religion in their own chapels, without opposition or molestation from the Government. So may the Jews celebrate the rites of their religion in their own synagogues; but we do not conceive the Catholic or Jewish Priests have ever claimed a right to preach publicly, not to their own flocks, but indiscriminately to His Majesty's protestant subjects, discourses for the express purpose of converting that whole protestant and Christian nation to the Catholic or Jewish religion, much less, publicly to revile and insult, in the most opprobrious and offensive terms, the tenets and ministers of the Church of England. If any indiscreet enthusiast of either of the persuasions above mentioned should hold a conduct so imprudent and so unjustifiable, and the magistrate should intervene and silence him, as he unquestionably would, we are persuaded that so reasonable an interposition of the magistrate would neither fall within the real and odious principle of persecution, nor experience that unmerited reproach from the mouths of the rational and ingenuous members of the religion attempted to be propagated in that manner. The late prohibition of public preaching in the native languages at Calcutta, was given occasion to, and rendered indispensable, by parties similar to those which we have just described, and was called for, also, by some peculiarities in the present times too obvious to need explanation, as well as by some actual indications of solicitude and incipient irritation in the minds of the native public of this city in consequence of those provocations.

7. Whether some regulation may not be devised, under which the celebration of public worship, and the decent performance of the Christian rites, may be allowed to native Christians, is an interesting point, to which we are neither indifferent nor inattentive. The indiscreet mode in which those duties were lately administered, coupled with other considerations of an occasional and we trust temporary nature, required in our judgment for the moment, the immediate suspension of a practice, which, in the form then given to it, threatened consequences prejudicial to the public repose, and not less adverse to the success of the pious purpose proposed by the Missionaries themselves.

8. In India, considerations of public safety are superadded, in a more than ordinary degree, to the obligation contracted by Government of protecting the rights and privileges of the subject; and we cannot doubt that the wisdom of every former administration in India, would have suggested the necessity of prohibiting this practice, if known to prevail in the manner in which it recently prevailed in the seat of Government.

9. Mr. Buchanan, by the tenor of his Memorial, has permitted a conclusion to be drawn, that printed works, of the nature described in the 5th paragraph of this despatch, have been circulated under former Governments without opposition or controul, and that the suppression of them is an innovation in principle, as well as in act, upon the practice of preceding administrations. The existing restrictions upon the press in India, however, have been in force during a long course of years, and it cannot be supposed that any former administration would have deemed it consistent with the public safety, or with the obligation of public faith, as pledged to the native subjects of the Company, for the unmolested exercise of their religions, to permit the circulation of such inflammatory works as those which we have lately had occasion to bring under the notice of your honourable Committee. In support of this opinion, we deem it proper to state the circumstances of a transaction which occurred during the administration of Marquis Wellesley, analogous to the proceedings of the present Government in suppressing the public discussion, either by preaching or by printed works, of topics offensive to the religions of our native subjects.

10. In the year 1804, the following subject of disputation, in the college of Fort William, having been proposed, viz. "The advantage which the natives of this country might derive from translations, in the vernacular tongues, of the books containing the principles of their respective religions, and those of the Christian faith:" the prepared discussion of which subject was reported to involve topics offensive to the religious prejudices of the class of Mahomedans: a number of the most respectable and learned of the Mussulman inhabitants of Calcutta addressed a Memorial to the Governor General, Marquis Wellesley, remonstrating

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strating against this supposed infringement of the unequivocal toleration which they acknowledged with gratitude the Government had till then afforded to the unmolested exercise of the religions of its subjects. In reply to this Memorial, a declaration was addressed to the memorialists, in the name and by the authority of the Governor General, in which, after adverting, as a fundamental principle of the British Government, to the solicitude with which Government not only abstained from all interference in the religious concerns of its Mussulman and Hindoo subjects, and from any endeavour to disturb their faith or to impede that full and free exercise of their respective religions which they enjoyed under the Mussulman Government, but even afforded additional facilities to them in the observance of all the rites, ceremonies, and duties of their respective persuasions; and after explaining to the memorialists the error of their apprehensions regarding the object and design of the disputation which had been proposed, and the real purpose of the disputations annually holden in the college of Fort William, and assuring the memorialists that the examination of any question whatever connected with the interests of religion, and especially the degradation of the religions of this country and the propagation of the Christian faith, were entirely foreign to the objects of the institution, the Governor General signified to the memorialists, that although, on perusing the proposed thesis, he perceived no principle of an objectionable tendency, yet that with a view to prevent the possibility of any apprehension on the part of the natives of this country that it might be the intention of the British Government to depart from the system of unlimited toleration which it had hitherto uniformly observed, the moment that the Governor General was apprized of the subject of the proposed thesis, he issued orders positively prohibiting the disputation upon that thesis; and copies of this declaration were circulated to all the principal stations under this Presidency and to the foreign Residencies, with a view to enable the officers and representatives of Government to counteract at those stations any eventual alarm of the nature of that which had been excited at the Presidency.

11. From this transaction may be inferred not only the effect which public discussions respecting the religions of the country are calculated to produce, but also the solicitude of that very administration to which Mr. Buchanan has specially appealed as encouraging the propagation of the Christian faith in India, to suppress discussions such as those which we have deemed it our duty to prohibit.

12. The composition of works directed to the object of converting the natives to Christianity, so naturally leads to discussions of that nature, that the evils resulting from the latter, must necessarily be hazarded by an unrestrained toleration of the former, and our decision upon this new question has been regulated not by any innovation or former established principles, but by those maxims of prudence and precaution which the condition of the British establishment in this country requires, and the neglect of which, would in our decided judgment, not only expose to hazard the stability of the British dominion in India, but would impede the accomplishment of the very object which animates the pious labours of the Society of Christian Missionaries in the work of conversion.

13. These consequences must be hazarded in a peculiar degree by a supposed connection between the efforts thus employed for the conversion of the natives, and the measures of the Government, which, on grounds already stated, have been rendered by the highest prescriptive authority, and by the uniform practice of the British Government in India, systematically distinct; and in our despatch to your honourable Committee, of the 2d ultimo, we have explained the circumstances which, in the present condition of the British power in India, more than at any former period, would tend to establish in the minds of the natives a belief of that conviction under the unlimited toleration of those proceedings on the part of the Missionaries which we have deemed it our duty to repress.

14. The expediency and necessity of protecting our native subjects in the undisturbed enjoyment of their religious opinions and usages, and of carefully withholding the influence of Government for the support of the endeavours of Missionaries to convert the natives to Christianity; in other words, the real principles of action and maxims of precaution which have regulated the proceedings of this Government with respect to the Missionaries and to the productions of their press, have been recognized and inculcated in the most forcible and explicit terms, in the following extracts from the letter of the honourable the Court of Directors to the Government of Fort St. George, dated the 29th of May, on the subject of the mutiny at Vellore.

“ In the whole course of our administration of the Indian territories, it has been our known and declared principle to maintain a *perfect* toleration of the various religious systems which prevailed in it, to protect the followers of each in the *undisturbed* enjoyment of their respective *opinions* and usages, and neither to *interfere* with them ourselves, nor to *suffer them to be molested by others*.”

“ When we afforded our countenance and sanction to Missionaries who have from time to time proceeded to India, for the purpose of propagating the Christian religion, it was far from being in our contemplation to add the influence of our authority to any attempts they might make; for on the contrary we were perfectly aware that the progress of real conversion would be slow and gradual, arising more from a conviction of the principles of our religion itself, and from the pious examples of its teachers, than from any undue influence or from the exertions of authority, which are never to be resorted to in such cases.

15. Your honourable Committee will be satisfied, by the tenor of our present despatch, and of our despatch of the 2d ultimo, that these are precisely the principles which have regulated our

our late proceedings with regard to the Missionaries, and that Mr. Buchanan, in ascribing to us a disposition hostile to Christianity, has assumed a latitude of censure equally disrespectful in its nature and unwarranted by facts.

16. With respect to the injurious position stated in Mr. Buchanan's Memorial, that under the proceedings sanctioned by this Government, the tendency of publications directed to the object of converting the natives is submitted to the decision of a Mahomedan or a Hindoo, it is obvious to remark, that Government itself is competent to judge of it through the medium of translation; that the intervention of a native is not necessary to enable us to obtain information regarding the contents of any publication in the Persian, Arabic, Hindostanee or Bengalee languages; and that our late proceedings with regard to the works, of which translations were enclosed in our despatch to your honourable Committee of the 2d ultimo, was the result of our own judgment of the nature and tendency of those works.

17. The intimation contained in Mr. Buchanan's Memorial, that this Government has established a new and specific imprimatur with respect to works on theology, appears to us to require some observations relative to the nature and effect of the restrictions on the press, which since their original establishment have continued to operate without relaxation.

18. This intimation, although bearing reference to those publications of the press of Serampore, which we have judged it necessary to prohibit or restrain, appears to be principally founded on the requisition noticed at the commencement of Mr. Buchanan's Memorial, on the subject of submitting certain discourses on the prophecies, which Mr. Buchanan proposed to publish, to the inspection of Government previously to their publication; it is proper therefore to explain the circumstances of that transaction.

19. The superintendant of the Company's press having received from Mr. Buchanan the draft of an advertisement, which announced the intended publication of Mr. Buchanan's Sermons preached in the Presidency Church, on the Prophecies, deemed it his duty to obtain the sanction of Government to the publication of those sermons, and consequently to the insertion in the Government Gazette, of the advertisement announcing their intended publication, and accordingly communicated the draft of the proposed advertisement to Government through the channel of its officers. Upon this reference, the Chief Secretary was directed to request, that Mr. Buchanan would send the manuscript for the inspection of Government, previously to its publication, and under this order, the publication of the advertisement also was of course suspended. This transaction is considered by Mr. Buchanan to amount to a suppression of the Sermons on the Prophecies, because a condition was attached to the publication of them, which Mr. Buchanan erroneously supposed to be the revision of them by the officers of Government, a condition to which he could not conscientiously accede.

20. Mr. Buchanan however must be supposed to object to the revision of those discourses by the Government itself, as the condition of their publication, because the charge of establishing an imprimatur on works of theology, if it does not refer to the revision of the Government, is founded, as far as relates to the discourses in question, on an erroneous construction of the Chief Secretary's requisition, which expressly declared that the manuscript was to be submitted to the inspection of Government.

21. Not having had an opportunity of perusing those discourses, we can form no judgment of the propriety of their publication. The printing an exposition of the sacred prophecies would certainly, as such, have met with no opposition from us, nor would the prophecy, most disrespectfully and improperly stated by Mr. Buchanan as a particular object of alarm to us, viz. the final conversion of all mankind to the Christian faith, have rendered the publication in our judgment objectionable. At the same time, if in commenting on that prophecy, Mr. Buchanan should have been found to have introduced into his discourses strictures on the religion of the Mahomedans and Hindoos, of the nature of those which in the form of works published for the perusal of the natives of this country, we had deemed it our duty to suppress, or to have enlarged on the topic of the immediate and general conversion of our subjects in the East to Christianity, we should probably have judged the promulgation of such remarks from the pulpit of the Presidency and the press of Government, to be unseasonable and inexpedient, in the present conjuncture of affairs.

22. Of this nature only are the restrictions which we desire to impose on the publication of theological works in this country. Those restrictions obviously form a part of that general controul which, in the actual state of our dominion in India, it is indispensably necessary to impose on the productions of the press, for the security of the public interests and the preservation of the public tranquillity in this important branch of the British empire; such restrictions have virtually existed during the whole period of the British supremacy in India; the occasion for the active exercise of them has only recently occurred.

23. Religious discussions, as being calculated in a peculiar degree to affect the public tranquillity, are the direct and proper objects of a general controul, which has been established over the productions of the press, for purposes of national interest and public security; and in India more than in all other countries, the controul of religious publications is indispensable for the public safety.

24. This necessity cannot be exemplified in terms more just or more forcible than in the following extract from a work published by Mr. Buchanan in England, and entitled, "A Memoir on the expediency of an Ecclesiastical Establishment in India."

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"The Mahomedans profess a religion which has ever been characterized by political bigotry and intemperate zeal. In this country that religion still retains the character of its bloody origin, particularly among the higher classes. Whenever the Mahomedan feels his religion touched, he grasps his dagger. This spirit was seen in full operation under Tippoo's government, and it is not now extinguished."

25. The practical effect of this sanguinary spirit of bigotry, as exemplified in the mutiny of Vellore, and in the events which succeeded it, can hardly escape observation; for although Mr. Buchanan, on the ground of his personal communication with some of the natives on the coast, is of opinion that the insurrection at Vellore had no connection with the Christian religion directly or indirectly, immediately or remotely, we are compelled to form a different judgment from the mass of authentic evidence and information on that unhappy event, recorded on the proceedings of Government; and we are satisfied that a persuasion (a most erroneous one indeed, but a firm and sincere persuasion) in the breasts of a great proportion of the Sepoys who were thus betrayed into the execution of the massacre of Vellore, and of those who subsequently manifested a spirit of insurrection, that a design existed on the part of the British Government to operate a general conversion of the inhabitants of India to Christianity, was one of the most efficient causes of that horrible disaster. Responsible therefore to our Sovereign, to our immediate superiors, and to our country, for the security and tranquillity of this empire, we should have neglected a primary obligation of our public duty, if at any period of time, but especially while such impressions were recent, we had permitted the circulation within the British territories, of works reviling the religions of our subjects, and distinctly declaring a desire to convert them to the Christian faith. Under the influence of the same sentiments and circumstances also, we cannot but question the prudence of publishing, with the sanction of the supreme British authority in India, the approaching and instant conversion of the inhabitants of this country to Christianity.

26. The imposition of a restraint, therefore, on the promulgation of writings of the above description, is but the application of a long authorized and existing controul over the conduct of the press, to the most important of the objects for which that controul was originally established; and consequently, as far as the public safety is concerned, works on theology, like works on other subjects, must be considered to be subject to a civil revision.

27. It is true, that no direct controul over the press of the Missionaries at Serampore, had been specifically declared to exist, or had ever been exercised by the British Government, because no abuse of that press had attracted notice. But under the peculiar circumstances of the settlement of Serampore, and of the press established in it, our right to controul the productions of the Missionary press cannot be disputed.

28. The population of Serampore cannot afford employment to a press in any degree sufficient to support the charges attending it. The only purposes connected with the concerns of the Danish Government, or of the inhabitants of Serampore, to which the press of the Missionaries was applied, were (as stated by the Governor of that settlement, in his letter of the 30th of September) the publishing of regulations and advertisements of public and private sales. All works printed at that press were necessarily intended for circulation in the British territories, and were so circulated, and the pamphlets which attracted our notice were sent to this Presidency and its vicinity, for distribution among our native subjects.

29. The Missionaries themselves are all British subjects; Mr. Carey, the chief member of the Society, holds the situation of Professor of the Shanscrit and Bengalee languages in the College of Fort William, and the leading members occasionally reside at this Presidency. The Danish Government permitted, and motives of convenience induced them to establish their press at Serampore. But the press is principally supported by the aid and encouragement afforded by the Asiatic Society and the College of Fort William. It is consequently to all intents and purposes a British press, and its productions must necessarily be considered by the community at large to issue under the patronage and sanction of the British Government. The same considerations therefore which require the exercise of an efficient controul over the presses established at this Presidency, are equally applicable to the press at Serampore. When its productions were found to be of a nature hazardous to the public tranquillity, it became the absolute duty of this Government to give effect to that controul; and advertng to the inconvenience, and in some degree the inefficiency, under which the controul of a press established in a foreign jurisdiction must be exercised, we deemed it advisable to simplify and facilitate the execution of that system, by requiring that a press, the productions of which were to circulate exclusively in the British territories, should be transferred to those territories, and be brought fairly and ostensibly within the scope of that observation which was entitled to controul it. We therefore desired the Missionaries to remove their press to Calcutta, apprising the Danish Governor at the same time, that we had deemed it necessary to signify that desire to the Missionaries, and stating to him the grounds of the measure.

30. The right of the British Government to exercise a controul over the press of Serampore, and for that purpose to require the transfer of it to the Presidency, was not contested by the Governor of Serampore, who far from resisting the demand for its removal, on the plea of the sovereignty of his nation, as erroneously asserted by Mr. Buchanan, merely solicited the revocation of that demand, on the ground of the distress to which the Missionaries would be exposed by our exacting a compliance with it; stating an additional inducement, in the convenience which the Government and inhabitants of Serampore experienced from the use of the press, in publishing regulations and advertisements of public and private sales.

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31. We at the same time received from the Missionaries the Memorial, of which a copy formed an enclosure in our despatch to your honourable Committee of the 2d ultimo, wherein the Missionaries represented the peculiar circumstances of their property at Serampore, and explained the very serious and distressing consequences to the individuals composing the Mission, as well as to the body itself, and to a considerable number of families connected with them as servants and dependants, which would result from the removal of the press from Serampore. Being satisfied of the truth of these representations, and nothing being further from our views and disposition than to effect in the smallest degree either the interests of the Missionary body, or the personal comfort and convenience of those worthy individuals, we withdrew without hesitation that part of the measure, and remained satisfied with the assurance of the Missionaries, that the works to be hereafter printed at Serampore, should be previously submitted to the revision and sanction of our Government.

32. The attention with which we listened to the representations of the Missionaries, concerning the distress which the removal of their press would occasion, was acknowledged by them in terms of fervent gratitude; and in reply to our letter communicating to the Governor of Serampore our compliance with the solicitation of the Missionaries, his Excellency expressed "his most grateful acknowledgments for the moderation we had so generously manifested" on this occasion.

33. It will be evident, from the facts and observations which we have stated to your honourable Committee, that no innovation has taken place in the principles and practice of this Government relatively, to the controul of the productions of the press; that no new and specific imprimatur has been established for works on theology, but that the restrictions which virtually existed with regard to publications in general, were practically applied to theological works, only when works of that class, containing strictures on the religions of the country in terms the most irritating and offensive, by being circulated among our native subjects, exposed the public tranquillity to hazard.

34. Mr. Buchanan's indecent comments on our reply to the reference of the Governor of Serampore, relative to the translation of the Bible (which reply Mr. Buchanan has communicated to the Governor General, as a point of information, and as a subject of concern to his Lordship) merely suggest the expediency of remarking, that we should deem it our duty to oppose the publication of any strictures on the religions of the country, such as we have already suppressed, whether promulgated in the form of separate tracts, or of prefatory notes to a translation of the Holy Scriptures.

35. Our solicitude for the suppression of publications of that nature, combines with a vigilant attention to the public safety and tranquillity, a regard for the successful propagation of the truths of Christianity among the misguided natives of these distant countries, by the only means which can promote its success,—the operation of example in the conduct of its preachers and professors in the principles which it inculcates, and in the effects which it produces on the dignity of individual character, and on the general happiness and welfare of mankind; united also with the means of instruction, when instruction is desired; but unconnected with the language of irritation, with revilings against the religions of the country, and with prophetic denunciations of their immediate subversion.

36. We shall conclude this discussion by observing, that it has never been in the contemplation, either of the present or the preceding administration of this Government, to controul or impede the pious labours of the Missionaries, while conducted in the manner which prudence dictates, and which the orders of the honourable Court have distinctly prescribed. But when the mistaken zeal of the Missionaries exceeded those limits which considerations of public safety, and even a solicitude for the propagation of Christian knowledge among the misguided natives of these countries, have wisely imposed; when publications and public preachings, calculated not to conciliate and convince but to irritate the minds of the people, were brought to the notice of Government, the interposition of the ruling power became necessary to preclude the apprehended effects of these dangerous and unprofitable proceedings.

Fort William,
7th December 1807.

We have the honour to be, &c. &c.
(Signed) MINTO,
G. HEWETT,
G. H. BARLOW,
J. LUMSDEN.

(ENCLOSURES.)

To the Right honourable Lord Minto, &c. &c. &c.

My Lord,

I BEG leave respectfully to submit to your Lordship some particulars regarding the present state of the Christian Religion in Bengal, which I have thought it my duty to communicate for your Lordship's information at this time.

I trust your Lordship will do me the justice to believe that it is with the utmost reluctance I trouble your Lordship with a letter on such a subject so soon after your entrance on this Government, when as yet few, if any, of the circumstances noticed in it can have come to your Lordship's knowledge.

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I have no other view in soliciting your Lordship's attention to them, but the advancement of learning and religion. Perhaps no one has addressed your Lordship on the subject since your arrival, and there are certainly many particulars regarding their present state, which it is of importance your Lordship should know.

Being about to leave India, I feared lest I should hereafter reproach myself, if I withheld any thing at this time which I conceived might be useful, particularly as I have been further encouraged to address your Lordship, by your Lordship's known condescension in receiving any communications which are honestly intended.

Calcutta,
9th November 1807.

I have the honour to be, my Lord,
With much respect, your most obedient humble servant,
(Signed) C. Buchanan.

To the Right honourable G. Lord Minto, Governor General, &c. &c. &c.

My Lord,

1. I HAD the honour to receive a letter from the Chief Secretary to the Government, under date the 11th September, desiring that I would submit, for the inspection of Government, the manuscript of some Sermons on the Prophecies, which I intended to publish. I shall willingly submit these discourses to your Lordship's perusal, and shall be happy to receive such observations on them as your Lordship's learning and candour may suggest; but I cannot submit them to the judgment of the officers of the Government. My reasons for declining to comply with the wishes of Government in this respect, it is incumbent on me to state; and I feel confident your Lordship will consider them to be satisfactory.

2. It will not have escaped your Lordship's observation, even in the short period since your arrival, that some of the officers of your Lordship's Government do not manifest any zeal for promoting the knowledge of the Christian Religion in India: they consider that a zeal in this respect would not be consonant to a wise and prudent policy. I am willing to believe that they advise according to the best of their judgment; but a principle pure and just in itself, if it be not tenderly exercised in reference to their important obligations, may become extravagant or pernicious. For instance, not to promote Christianity may, in certain circumstances, be prudent; but to repress Christianity will not, I think, in any case, be defended. It is not necessary to observe to your Lordship how much the minds of Europeans assimilate to the native character after a long residence in this country, and how difficult it is for men, even of good sense and honest intentions, while involved in the mist of this prejudice, to view the Christian Religion.

3. During the administration of the Marquis Wellesley, the spirit of promoting learning and religion in India, was general and ardent; but after the departure of that nobleman, a great revolution took place. A spirit directly adverse to the diffusion of religion in India, most unexpectedly broke forth, just as if it had been confined by his presence. This spirit appeared long before the insurrection in Vellore. I mention this, lest your Lordship should suppose that it originated with that event; for I understand that the "Massacre at Vellore" has been unaccountably adduced as some sanction to the principle of opposing the progress of the Christian Religion in Bengal. I had opportunities of judging of the causes of that event, which were peculiar. I was in the vicinity of the place at the time; I travelled for two months immediately afterwards in the province adjacent, with the sanction of Government; and I heard the evidence of Christians, Mahometans, and Hindoos, on the subject. That the insurrection at Vellore had no connection with the Christian religion, directly or indirectly, immediately or remotely, is a truth which is capable of demonstration.

4. The spirit so hostile to the progress of Christianity in India, appeared first in operation about two years ago, and has been acquiring strength ever since. It has exhibited itself in a series of acts, the recital of which will sufficiently illustrate to your Lordship the temper of mind which produced them. These acts are, however, not to be considered as the official and acknowledged measures of the respectable persons who preceded your Lordship in the Government. Sir George Barlow has often expressed his approbation of the means used for the diffusion of Christianity in India, and he sincerely desires its success. These measures have not been generally considered as the offspring of his unbiassed judgment. Besides, most of them are extra official, and with some of them he is perhaps yet unacquainted. They will probably appear to your Lordship to have been dictated by a timorous policy, proceeding from minds somewhat agitated by the responsibility of a weighty empire, viewing at the same time Christianity as an innovation in India, and magnifying that innovation, perhaps, into a revolution. The acts which have plainly manifested this alarm are many. It will suffice to notice to your Lordship the four following:

5. First. The withdrawing the patronage of Government from the translation of the Holy Scriptures into the Oriental tongues.

The translation of the Scriptures had commenced in the College of Fort William, at the expense of Government. When the honourable the Court of Directors directed a reduction of the expenses of that institution, it was resolved to make provision for the continuation of the translation of the Scriptures by public subscription, and to exonerate the Government entirely. It was accordingly proposed that a Committee of the College and of others should superintend the translations, and controul the expenditure. This measure had been recommended by certain of the bishops and by some noble persons in England, who wished to aid us in the translation of the Scriptures, and the countenance

nance of the college, was merely desired, with the view that the important work might be conducted strictly in the principles of the national church, and not fall entirely into the hands of dissenters, as it has since done. Your Lordship will be surprised to hear that this proposition was rejected. Government withdrew its patronage from the work entirely, and even refused to give its countenance to the subscription. The immediate consequence of this unexpected blow, was the loss of ample funds; for there appeared at the time, throughout all India, a disposition to encourage a literary undertaking which was deemed so honourable to the nation.

Considering the difficulty of obtaining fit instruments for the conduct of such a work, the religious and moral importance of the work itself, and its advantages to the general interests of oriental literature, your Lordship will believe, that this forfeiture of public encouragement, under such auspicious circumstances, has ever been viewed with regret by the friends of learning and of religion in Europe and in India.

This disappointment, however, has had one favourable result; it accelerated the establishment of "the Christian Institution in the East," which carries the translation of the Scriptures, in some of the languages, into regions far beyond the controul of the Bengal Government.

6. Second. Attempting to suppress the translation of the Scriptures.

An attempt was next made to suppress the translation of the Scriptures entirely, and this attempt had almost succeeded.

To suppress the translation of the Scriptures, is to suppress the Scriptures. I can make no further observation on this, in addressing your Lordship.

7. Third. Suppressing the encomium of the honourable the Court of Directors, on their venerable Missionary the Reverend Mr. Swartz.

The honourable Court had sent out to Fort St. George a marble monument to be erected in the church of St. Mary, to the memory of Mr. Swartz, inscribed with a suitable epitaph, and they announced it, in their general letter dated 29th October 1806; as a testimony of the deep sense they entertained of his transcendent merit, of his unwearied labours in the cause of religion and piety, and of his public services at Tanjore, where the influence of his name and character was for a long course of years productive of important benefits to the Company. The honourable Court further adds: "On no subject has the Court of Directors been more unanimous, than in their anxious desire to perpetuate the memory of this eminent person, and to excite in others an emulation of his great example." They direct finally, that "translations shall be made of the epitaph into the country languages, and published at Madras, and that the native inhabitants shall be encouraged to view the monument."

The Christians in Bengal were of course rejoiced to hear of the honourable testimony to the apostolic Swartz, and they expected that it would be acknowledged here, as at Fort St. George and Bombay; but they were disappointed; there was no recognition of the venerable Missionary in Bengal. The epitaph was not inserted in the Calcutta Gazette, nor was the slightest notice taken of the circumstance and lest it might be supposed; that it was omitted by accident, the official notice of the Governor in council at Fort St. George, which appeared subsequently relative to the day of commemoration, was also suppressed.

But what followed was yet more painful. Your Lordship will judge of the feelings of the Christians in this place, when they read in the Government Gazette of the week following, an article whose obvious tendency was to bring the labours and character of the Christian Missionary into contempt.* Thus while the honourable the East India Company were adorning the sepulchres of their Missionaries, and embalming their memory in the South, their own servants were treating the character with indignity in the North. We were at first alarmed, lest this might be the signal for the other papers to commence an attack on the humble and defenceless Missionaries; but we were happy to find, that not one of the seven papers of this Presidency followed the example of the official Gazette.

As it is not probable that any of the particulars above-mentioned, have as yet come to your Lordship's knowledge, I beg leave to refer your Lordship to the enclosed printed paper (A.) published by the authority of the Government of Fort St. George.

8. Fourth. Restraining the Protestant Missionaries in Bengal, from the exercise of their functions, and establishing an imprisonment for theological works.

Men's minds were prepared, by the preceding circumstances, to expect little indulgence to Missionaries, but they were certainly not prepared to expect the event which followed.

The success of the protestant mission in Bengal, had long been a source of uneasiness to those officers of Government who do not think it right to convert the natives. Some of the native Moonshees attached to the public officers, well knowing, from long acquaintance, their masters sentiments on this subject, have not failed from time to time to urge them to countenance their petitions, and to lend their voice in accusing the Missionaries. Some clamour of this kind was raised at two different times within the last seven years; but it passed away without offence to the Christian religion. The complaint of the Moonshees against the Missionaries, on the present occasion, is not, I understand, so obvious as the former;

* The Mission to Greenland and Labrador, whose civilizing efficiency on the rude inhabitants of those regions, has long been a theme of admiration to the Christian world, is held forth in that paper to public ridicule; and the simple narrative of the pious well-meaning Missionaries, is declared to "exhibit a degree of canting fanaticism well worthy of the followers of Cromwell."—Calcutta Gazette, 17th September 1807.

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mer; they complain that the Missionaries have, in a certain paper, "applied abusive" epithets to Mahomet." The Missionaries certainly mistake the proper method of convincing the minds of men, if they use epithets of abuse; the successful method of preaching, is by argument and affectionate address; and I presume this has been their general method during the fourteen years of their mission, else we cannot suppose their labours would have been followed with so much success.

At the same time Christian teachers are not to speak with reverence or courtesy of Juggernaut or Mahomet: they must speak as the Scriptures speak, that is, of false gods as false gods, and of a lying prophet as a lying prophet. The Mahometans apply abusive epithets and vulgar curses to the idolatry of the Hindoos and to the faith of Christians; and these epithets are contained in books, and Government might, on the same principle, have been assailed with the petitions of Christians and Hindoos against the Mahometans. If the natives choose to go to hear the preaching, or to read the books of the Missionaries, it is their pleasure to do so—it is no concern of Government. These poor Missionaries are not official characters: they have no power, no authority, no riches; and this the natives well know. They are like the first apostles, contemned and despised by all casts; and if they are bereaved of the countenance of their own Government, they are bereaved indeed.

The complaint, however, of the Mahometans has produced a very serious event. The protestant Missionaries in Bengal were prohibited, by order of government dated 8th September last, from preaching to the natives.

The Protestant Mission being situated at Serampore, a town belonging to the King of Denmark, the English Government requested the Danish Governor to give up the Mission press, and ordered the Missionaries to remove to Calcutta. The Danish Governor resisted this demand, on the plea of the sovereignty of his nation; and the English Government revoked their requisition. The English Government then issued an order prohibiting the Missionaries from printing any books, "directed to the object of converting the natives to Christianity." On this, a question was proposed officially to the British Government by the Danish Governor, a question which your Lordship will be concerned to think should ever have been necessary. It was this: "Whether, among the books prohibited by the British Government, the Bible in the Bengalee language was included?" The answer to this question your Lordship will read with yet more concern. It was the following: "We are not aware of any objection to the promulgation of the Scriptures in the Bengalee language, unaccompanied by any comments on the religions of the country:" that is, the English Government were not "aware that there was any objection to the publication of the Bible, yet they were not certain." At all events, it must have "no comment on the religions of the country:" that is, it must not be said of the Bible—"this is the word of the true God, and more worthy of belief than the Veda of Brahma:" nor must any illustration of its truth be noticed by reference to the Hindoo doctrines, for instance, by appealing to their own ideas of a Trinity, of an atonement, and of the "man twice born."

After some consideration, the English Government qualified, (but did not revoke,) their prohibition respecting works "directed to the object of converting the natives," and informed the Missionaries officially that, "whatever they printed for the future, must be submitted to the inspection of the officers of Government:" and here the matter ended. An official imprimatur is established for the theological works of the protestant Missionaries; and preaching to the natives beyond the limits of the Danish town, is entirely prohibited: and this, of course, amounts to nearly a total suppression of the mission.

The chief inconvenience of the imprimatur imposed is, not that religious books shall be submitted to the officers of Government, but that they must be submitted to the "native" officers of Government. If, indeed, the Christian officers of Government understood the Bengalee, Arabic, Orissa, Mahratta, and Chinese languages, then might the Missionaries expect that Christians would revise their works; but a Hindoo must revise the Bengalee, and a Mahometan the Arabic. Those very Mahometans who impeached the Missionaries in the first instance, will necessarily be employed next to revise their theology. Was it ever heard that a Hindoo or a Mahometan gave a candid judgment of a Christian book? They will, of course, obliterate all passages which offend their own superstitions, and particularly those quotations from Scripture which speak of lying prophets, or the sin of idolatry.

I now beg leave to request your Lordship's attention to the plea on which these proceedings against the Protestant Missionaries have been grounded. It is this; "that the public faith has been pledged to leave the natives in the undisturbed exercise of their religions." This is a proper pledge of our legislature. It is proper not to disturb the natives in the exercise of their religion; nor has this pledge ever been broken, directly or indirectly. It is proper not to interfere with, or by violence to prevent, the superstition of the natives, if not criminal in itself, or affecting the public peace. But if, by the expression "not disturbing the natives in the exercise of their religion," be meant that "we are not to use means for diffusing the knowledge of Christianity among them," then it is to be observed that this pledge has been violated by every Government in India, and has been systematically broken by the honourable the East India Company from the year 1698 to the present time. The fact is, they have pledged themselves to a conduct just the reverse. The East India Company hold this country by a Charter, which expressly stipulates that they shall use means to instruct the Gentoos, &c. in the Christian religion. William 3d, September 1698. And this stipulation is in perfect accordance with their pledge of not disturbing the natives in the exercise of their superstitions by force, inasmuch as it is a very different thing to apply arguments to the mind and to inflict wounds on the body. It is their duty to civilize their

their barbarous subjects, and to teach them humanity, and for that purpose, to address their understandings and their affections. At the same time it is their duty not to disturb the exercise of their superstition by compulsory acts; and the legislature has stipulated for the performance of both duties; and the first duty is as positive as the second. They first stipulate to do good, and they next stipulate not to do evil; and in consequence of this stipulation, the honourable Company have constantly aided the Christian missions in India, and at this time, they devote a considerable sum annually to their support. The Protestant Mission in Bengal commenced in 1758. The honourable Company's ships brought out the annual supplies for this Mission, and before the year 1770, religious tracts were translated into the Bengalee language; and Hindoo Christians preached to their countrymen, in the time of Hastings, in the town of Calcutta. This Mission continued its labours till about the year 1790, when the supply of Missionaries from Europe failed. It was succeeded by the present Mission at Serampore in 1793.

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The Calcutta Mission was of extensive use in disseminating Christian principles through northern India. They sent Arabic New Testaments to the court of Shah Allum, the Mahometan King of Hindostan, then resident at Allahabad. The priests of his Majesty returned their thanks to the Missionaries, and requested that "the supply might be continued." It was continued for a time, and an investment of Arabic bibles is soon expected, under the sanction of the honourable Company, for a similar purpose. Little of the influence of Christianity in India has come, as yet, to the knowledge of the public. Englishmen in general know as little of the state of Christianity in India, as of the state of Hinduism. Two Christian Missions were at the same period tolerated by Shah Allum, one of which had existed since the time of Akbar the Great, and both of which exist unto this day.

At Seringapatam, under Hyder Sultaun, the Mahometan Prince of Mysore, the most complete toleration was permitted. In the Appendix to the enclosed Pamphlet, your Lordship will see with what ardour the preaching of Swartz was received at Seringapatam, and how the noble Mahometans and Hindoos desired to learn from him what was the "right prayer." Romish Missions were tolerated by Hyder, at the same time. Tippe Sultaun was more intolerant than his father. He was at times a persecutor, yet he did not quench Christianity; and Missions now flourish in various parts of the Mysore country.

After these authorities, we certainly shall not refer to the Mahometan Moonshees in Calcutta, for their opinion on the general relations of religious toleration in India.

I do not know whether your Lordship has been informed, that there are two Roman Catholic Missions in Bengal and the provinces adjacent. They have existed for a long period of time, and have been tolerated by the Mahometan, Hindoo, Seik, Nepaul, and Tibet Governments. They have preached and published what they pleased, without any official restriction that we have ever heard of, and they now continue to follow their functions under the protection of the English Government, while the Protestant Missionaries are restrained and their theology is subjected to an official licence.

The proceedings against the Protestant Mission will naturally be supposed at home to have been called forth by some public commotion in Bengal, or by the bad moral character of the Missionaries. As to the first, they will be happy to hear, that we are now, and long have been, in a state of almost torpid tranquillity; and as to the character of the Missionaries, the Government has acknowledged them to be men of quiet demeanour, of pious intentions, and as deserving countenance and respect for their literary labours.

It has been the usual conduct of Asiatic Governments to let Christianity alone. In the annals of the British administration in India, has there been no instance of the suppression of a Christian Mission? Our empire here subsists by the discrepancy of religious opinion. It is not good policy to strengthen the Hindoo religion, or to strengthen the Mahomedan religion; but it is good policy to strengthen the Christian religion, because it is as yet the weakest. It is certainly our duty not to oppose it, for if this counsel "be of God, we cannot resist it." And it would now be as easy to oppose the rushing of the Bore into the river Ganges, as to oppose the entrance of Christianity into the province of Bengal.

9. After the perusal of the foregoing pages, your Lordship will be prepared to understand the cause of the late alarm regarding the Prophecies; not a public alarm indeed, but the alarm of some of the officers of your Lordship's Government.

Having had occasion lately to preach a series of discourses on the Christian Prophecies in the Presidency Church, some of the congregation expressed a wish that I would permit them to be printed, observing, that they had before made a similar request without effect; but as I was now about to return to Europe, they hoped I would bequeath to them these few discourses.

When it was understood by the officers of Government, that the Sermons on the Prophecies were to be published, they were alarmed—your Lordship will scarcely divine the cause—it was this:—It seems these Prophecies declare, "that all nations shall be converted to the religion of Christ." But if this be true, it was argued, what bad news to the Mahomedans and the Hindoos. In short, the advertisement announcing the intended publication of the Prophecies, which was sent to the Government Gazette, was suppressed; the advertisement itself was delivered in with trepidation to Government, and an order was immediately issued to the printers of the other papers, forbidding them to publish the alarming notice. In consequence of this order, it has been publicly understood that the Christian Prophecies are suppressed by authority.

I now beg leave to submit it to your Lordship's judgment, whether, in the view of the temper of mind displayed above, it would be proper in me to subject my compositions to the opinion and revision of the officers of your Lordship's government. Might there not be some danger

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danger in committing the Christian Prophecies to be altered and new modelled by men who favour the disciples of Mahomet and Brahma? I incline not to commit them to the hands of those officers, from another consideration: it would be a bad precedent. I would not that it should be thought, that any where in the British dominions, there exists any thing like a civil inquisition into matters purely religious.

It is now nearly two months since I received the letter from Government on this matter, and I have not yet communicated my intentions. I now beg leave to inform your Lordship, that I do not wish to give Government any unnecessary offence. I shall not publish the Prophecies.

At the same time I beg leave most respectfully to assure your Lordship, that I am not in any way disappointed by the interference of Government on this occasion. The supposed suppression of the Christian Prophecies has produced the consequence that might be expected. The public curiosity has been greatly excited to see these Prophecies: and to draw the attention of men to the Divine predictions, could be the only object I had in view in noticing them in the course of my public ministry. Another consequence will probably be, the Prophecies will be translated into the languages of the East, and thus pave the way, as has sometimes happened, for their own fulfilment.

10. Your Lordship will be enabled better to understand the real nature of this alarm regarding the Prophecies, when you are informed of the alarm which was excited about half a year before your Lordship's arrival, by the ancient "Christian Tablets."

In consequence of the enquiries, sanctioned by the Marquis Wellesley, into the history and literature of the Syrian Christians of Travancore, some ancient manuscripts were announced, and also certain "Brass Tablets" of great antiquity, containing the privileges of these ancient Christians, asserting their rights of nobility, and declaring withal that they had a King. Your Lordship can hardly conceive the apprehensions which were excited by this discovery, in the minds of those who have been lately alarmed by the Prophecies. Even at the first, it was accounted an ominous mission to go "to rake up the ashes of Christianity" in the very midst of the Hindoos: But when it was announced that there were "glowing embers," nothing less seemed to be expected than that all Hindostan would shortly be "in a flame." For if it was true that Christianity once flourished in Hindostan, it followed that it might flourish again. It was devoutly wished "that these Christian Tablets might sink to the bottom of the sea," and even the curiosity of the Hindoo antiquaries was quenched in this horror of Christianity.

That your Lordship may be assured that this alarm was real and not fictitious, it is only necessary to add, that when the article of literary intelligence published in the Bombay Gazette, containing the account of these ancient Christians, and of these "brass plates" (which account was certainly interesting to the Christian world in general, and to men of letters in particular) arrived at Calcutta, it was suppressed by authority as something dangerous to the State, and the Bishop of Llandaff's Letter on the Civilization of India had nearly shared the same fate.

11. It appearing, from the recent events above noticed, that the diffusion of Christianity in Bengal is plainly obnoxious to some of the officers of government, serious apprehensions are now entertained, that the attempt to suppress the translation of the Scriptures will be renewed: I cannot believe that the attempt will be made during your Lordship's Administration. If however any sinister event should afford a pretext for reviving it, I humbly request that the Chinese translation of the Scriptures may be spared; suffer me, my Lord, to intercede for the Chinese. There are three English youths, who have been for two years past under the tuition of the Chinese professor and his two Chinese assistants, and they have now acquired a very considerable proficiency in the Chinese language; and it is my intention to call them to England for public purposes, in three years hence, if their studies be not interrupted. This class has been organized and maintained at a great expense. It is the only regular Chinese class in the world, out of the limits of the Chinese empire; and it will probably be the source of the first regular instruction in the Chinese language in Great Britain.

12. If your Lordship should judge it expedient to investigate any of the facts contained in this Letter, I shall be happy to afford any further evidence or explanation that may be required, before I leave India.

I have the honour to be

My Lord,

With the highest respect, your Lordship's

Most obedient and humble servant,

(Signed) C. Buchanan.

Calcutta,

7th Nov. 1807.

Extract of LETTER from the Court of Directors to the Governor General in Council at Fort William in Bengal; dated 7th Sept. 1808.

No. 8.

Letter from
Court of
Directors,
7 Sept. 1808;
on the subject
of
Missionaries.

Para. 12. SINCE the preceding paragraphs were written, your letter of the 7th December 1807, to the Secret Committee, has been received, with copies of the Letter and Memorial addressed to the Governor General by the Reverend Dr. Claudius Buchanan.

13. We desire to express our entire satisfaction at the explanation which you have thought it necessary to give to your proceedings; and as most of the observations which would naturally have occurred to us on the perusal of those documents, have already been stated in this letter, we deem it unnecessary to enlarge further on the subject.

14. With every disposition to make due allowance in favour of ardent zeal in the cause of religion, it would have been impossible for us to avoid noticing the improper style of Dr. Buchanan's Address to the supreme Authority in India, if his subsequent departure from thence had not in some degree relieved us from that necessity. We shall content ourselves at present, with remarking that Dr. Buchanan, as well as all other Ecclesiastics who promulgate the doctrines of Christianity in India, and who bestow such just and merited encomiums on the conduct of the Missionary Schwartz, would do well to adopt it as the model of their own, and would always recollect that discretion and moderation in their language and actions, are most consistent with the mild spirit of our religion, and are indispensably requisite for those who are employed in prosecuting the laborious work of Conversion.

No. 9.

Copy of a PROCLAMATION of Lord William Bentinck as Governor of Madras; dated the 3d of December 1806.

Extract Fort St. George Secret Consultations; 2d December 1806.

PROCLAMATION.

THE RIGHT HONOURABLE THE GOVERNOR IN COUNCIL, having observed, that in some late instances an extraordinary degree of agitation has prevailed among several corps of the Native Army of this coast, it has been his Lordship's particular endeavour to ascertain the motives which may have led to conduct so different from that which formerly distinguished the Native Army. From this enquiry it has appeared, that many persons, of evil intentions, have endeavoured, for malicious purposes, to impress upon the Native Troops, a belief that it is the wish of the British Government to convert them by forcible means to Christianity; and his Lordship in Council has observed with concern, that such malicious reports have been believed by many of the Native Troops:—

THE RIGHT HONOURABLE THE GOVERNOR IN COUNCIL, therefore, deems it proper, in this public manner to repeat to the Native Troops, his assurance, that the same respect which has been invariably shown by the British Government for their religion and for their customs, will be always continued; and that no interruption will be given to any native, whether Hindoo or Mussulman, in the practice of his religious ceremonies.

HIS LORDSHIP in Council desires that the Native Troops will not give belief to the idle rumours which are circulated by enemies of their happiness, who endeavour with the basest designs to weaken the confidence of the troops in the British Government. His Lordship in Council desires that the native troops will remember the constant attention and humanity which have been shown by the British Government in providing for their comfort, by augmenting the pay of the native officers and sepoys, by allowing liberal pensions to those who have done their duty faithfully, by making ample provision for the families of those who may have died in battle, and by receiving their children into the service of the honourable Company, to be treated with the same care and bounty as their fathers had experienced.

THE RIGHT HONOURABLE the GOVERNOR in COUNCIL trusts, That the native troops remembering those circumstances, will be sensible of the happiness of their situation, which is greater than what the troops of any other part of the world enjoy; and that they will continue to observe the same good conduct for which they were distinguished in the days of General Lawrence, of Sir Eyre Coote, and of other renowned heroes.

THE native troops must at the same time be sensible, that if they should fail in the duties of their allegiance, and should show themselves disobedient to their officers, their conduct will not fail to receive merited punishment, as the British Government is not less prepared to punish the guilty, than to protect and distinguish those who are deserving of its favour.

IT IS DIRECTED, That this paper be translated with care into the Tamul, Telinga, and Hindostany languages; and that copies of it be circulated to each native battalion; of which the European officers are enjoined and ordered to be careful in making it known to every native officer and sepoy under his command.

IT IS ALSO DIRECTED, That copies of the paper be circulated to all the magistrates and collectors under this Government, for the purpose of being fully understood in all parts of the country.

Dated in Fort St. George, the 3d December 1806.

PUBLISHED, by ORDER of the RIGHT HONOURABLE the GOVERNOR in COUNCIL.

(Signed)

G. Buchan,

Chief Secretary to Government.

— No. 10. —

Copies of all REGULATIONS AND ORDERS, issued, and now in force, under the *Bengal* Government; respecting the WEAVERS; as well in regard to their connection with the provision of the Company's Investment, as in respect to their employment by Individuals.

A. D. 1793. REGULATION XVII.

A REGULATION for re-enacting, with alterations and amendments, the Regulations passed by the Governor General in Council, on the 20th July 1792, for empowering Landholders and Farmers of Land to distrain and sell the personal Property of under Farmers, Ryots and Dependant Talookdars, and (in certain specified cases) their Sureties, for Arrears of Rent or Revenue; and for preventing Landholders and Farmers of Land, confining or inflicting corporal punishment on their under Farmers, Ryots and Dependant Talookdars, or their Sureties, to enforce payment of arrears.—PASSED by the Governor General in Council, on the 1st May 1793, corresponding with the 21st Bysaak 1200 Bengal Era; the 6th Bysaak 1200 Fussily; the 21st Bysaak 1200 Willaity; the 6th Bysaak 1850 Sumbut; and the 19th Ramzaan 1207 Higeree.

FROM the Regulations not defining the nature and extent of the coercion which landholders and farmers of land might legally exercise over their under farmers, ryots, and dependant talookdars, to enforce payment of arrears of rent or revenue, many landholders and farmers, availing themselves of the sanction of former usage, had recourse to the most oppressive means for realizing arrears, and frequently employed the same severities for the purposes of extortion; whilst others, doubtful what measures they were empowered to adopt to enforce payment from defaulters, and apprehensive of subjecting themselves to prosecution for oppression, refrained from all compulsion, and were often defrauded of arrears to which they were justly entitled. These defects in the Regulations tending to screen oppression and dishonesty on the one hand, and to discourage moderation and good faith on the other; and it being as essential to the prosperity of the country and the punctual collection of the public revenue, that landholders and farmers of land should have the means of compelling payment from defaulters without being obliged to have recourse to the Courts of Justice, and incurring the delay and expense necessarily attending a law process for the recovery of every arrear, as that under farmers, ryots, and dependant talookdars, should be protected from oppression and unjust demands; the Governor General in Council, with a view to the attainment of these important objects, passed certain Regulations on the 20th July 1792: THE RULES and ORDERS contained in those Regulations are hereby re-enacted, with alterations and amendments.

II. Zemindars, independent talookdars, and other actual proprietors of land, and farmers of land who hold their farms immediately of Government, are empowered to distrain without sending notice to any court of justice or any public officer (excepting the after notice directed to be given in the cases of defaulters employed in the provision of the Company's Investment or the manufacture of salt, as specified in Section XXXI,) the crops and products of the earth of every description, the grain, cattle, and all other personal property whether found in the house or on the premises of the defaulter, or in the house or on the premises of any other person within or without the limits of the estate or farm of the distrainer, belonging to their under renters and ryots and the talookdars paying revenue through them, for arrears of rent or revenue, and to cause the said property to be sold for the discharge of such arrears. The same powers are likewise vested in dependant talookdars for the recovery of arrears of rent from their under farmer and ryots, and also in under farmers who farm lands from zemindars, independent talookdars, or other actual proprietors of land, or dependant talookdars, or farmers of land who hold their farms immediately of Government, to enable such under farmers to enforce payment of arrears of rent or revenue from their ryots, under farmers, or dependant talookdars. The several descriptions of landholders and farmers of land above specified, are to exercise the powers hereby vested in them under the following rules and restrictions.

III. Persons vested with the power of distraint shall not distrain or sell the lands, houses or other real property of their under farmers and ryots, or the talookdars paying revenue through them; nor goods or advances belonging to the Company in the hands of any

What person, may distrain. Whose and what property is liable to distraint and sale.

What property is not liable to distraint and sale.

No. 10.

Regulations and Orders, of the Bengal Government, respecting the Weavers.

Reg. XVII.
1793.

Distrain and sale of it illegal and void.
Penalty.

What property is not to be distrained, if other sufficient property can be attached.

Penalty.

When under farmers, &c. are to be considered to have defaulted.

Sureties not exonerated by the distrain of the property of Defaulters.

Penalty for attaching property if no arrear be due.

Attachment not to take place if the defaulter shall tender the arrears upon demand.

Distrainers to furnish the person they may depute to distrain, with a Writing specifying the amount of the arrear and the date on which it became due.

Copy of the writing with list of the property distrained, name of the place where it is lodged and notice that it will be sold indorsed thereon, to be delivered to the defaulter, or left at his place of residence in case of his absence.

Penalty.

Under farmers, &c. who have not given security for their rent or revenue, and who may contest the arrear, how to procure the attachment of their property to be withdrawn.

To execute a bond with security to try the demand in the Dewanny Adawlut of the Zillah, in fifteen days.

Attachment to be withdrawn upon the execution of the bond.

weaver, manufacturer, or other persons employed in the provision of their Investment; nor the loom, thread, unwrought silk or materials of manufacture of any weaver or manufacturer; nor the tools of any tradesman or labourer standing towards them in the relation of under farmer, ryot, or dependant talookdar. All such distrains and sales are declared illegal and void. The defaulter shall stand acquitted of the arrear for which the distress may be levied, and the property shall be restored to him, or the distrainer shall be compelled to make good to him the value of it, if it shall be personal property, and shall have been destroyed, damaged or injured, or shall not be forthcoming, and the distrainer shall be further obliged to pay to him damages adequate to the loss which he may prove to have sustained in consequence of such attachment or sale, with all costs of suit.

IV. The ploughs and implements of husbandry, the cattle actually trained to the plough, and the seed grain of under farmers, ryots and dependant talookdars, shall not be distrained for arrears, provided the defaulter shall possess, and the distrainer shall have it in his power to attach, other cattle, grain, or property, sufficient for the discharge of the arrear. Distrainers are enjoined to attend strictly to this rule, and every deviation from it shall be punished by an award to the party aggrieved of damages adequate to the injury he may have sustained, with all costs of suit.

V. Under farmers, ryots, and dependant talookdars, shall not be considered to have defaulted until the arrears have been ineffectually demanded from them and also from their surety, if they shall have given security, and the surety shall be forthcoming; and when, as the last resource, an attachment shall be issued against the property of a defaulter, the responsibility of the surety shall not be thereby in any degree diminished.

VI. If any person vested with the power of distrain shall attach, or cause to be sold the property of any under farmer, ryot or dependant talookdar, for arrears of rent or revenue, and it shall appear upon trial that no arrear was due, the distrainer shall be compelled to restore the property to the owner, or to make good to him the value of it, if it shall have been sold, damaged, injured or destroyed, or shall not be forthcoming, and to pay to him as damages a sum adequate to the value of such property, and all costs of suit.

VII. If the defaulter shall tender the arrears demanded of him in the presence of two creditable witnesses to the person deputed to attach his property, such person shall receive the arrears, and shall not proceed to the attachment.

VIII. Distrainers shall deliver to the person whom they may depute to attach the property of a defaulter, a writing under their seal and signature specifying the amount of the arrear for which the attachment may be issued, and the date on which such arrear became due. The person so deputed shall produce this writing as his authority for making the attachment, and on the day on which he may attach the property, shall deliver a copy of it to the stated defaulter, endorsing thereon a list or inventory of the property attached, and the name of the place where it may be lodged or kept, with a notice that it will be sold on the fifteenth day commencing from the day following the day on which the attachment took place, or, if the property attached shall consist of crops or other ungathered products of the earth, within fifteen days calculating from the day following the day on which such crops or products may be stored, as directed in Section XIII.; unless the arrear and expenses of the attachment shall be previously discharged, or he shall contest the demand, and procure the attachment to be withdrawn in the manner hereafter specified. If the defaulter shall be absent, a copy of the above writing with the prescribed endorsement shall be fixed up or left at his usual place of residence before the expiration of the third day, calculating from the day of the attachment. If any person vested with the power of distrain shall cause any property to be attached, without furnishing the agent whom they may employ for that purpose with the writing above directed, or if such agent shall be furnished with the writing prescribed, and shall omit to deliver a copy of it with the required endorsement to the defaulter, or, in the event of his absence, to leave such copy at his usual place of residence within the period limited, the distrainer shall not be entitled to recover the arrear for which the distress may have been levied, and he shall be compelled to restore the property to the defaulter, or the value of it, if it shall have been sold, damaged, injured or destroyed, or shall not be forthcoming, and to pay all costs of suit.

IX. If an attachment for arrears shall have been issued against the property of any under farmer, ryot, or dependant talookdar, who may not have given security to the distrainer for the payment of his rent or revenue, and such under farmer, ryot, or dependant talookdar, shall dispute the justness of the demand, and within five days commencing from the day following the day of the attachment, or if the property attached shall consist of crops or other ungathered products of the earth, within five days calculating from the day following the day on which such crops or products may be stored as directed in Section XIII, shall enter into a bond before the judge of the zillah, the cauzy of the pergunnah, or the distrainer, with good security, binding himself to institute a suit in the dewanny adawlut of the zillah within fifteen days from the date of such bond for the trial of the demand, and to pay whatever sum may be adjudged to be due from him, with interest upon it at the rate of twelve per cent. per annum, to be calculated from the date on which the arrear that may be awarded became payable to the date of the decree, with all costs of suit, the distrainer shall immediately withdraw the attachment and restore the property to the defaulter. If the stated defaulter shall fail to execute the bond within the

the period prescribed, the distrainer shall be at liberty to keep the property under attachment, and to cause it to be sold in the manner directed in Section XXII, unless the arrear with the expenses of the attachment shall be discharged previous to the day of sale. If the defaulter shall execute the bond, but omit to institute the suit in the dewanny adawlut by the time prescribed, the distrainer shall demand payment of the arrear from the surety, and in the event of his not discharging the amount immediately, the distrainer shall be at liberty to issue an attachment against the personal property both of the surety and the defaulter, or the personal property of either of them, and to cause it to be sold, unless the arrear and the expenses of the attachment shall be discharged previous to the day of sale.

Reg. XVII.
1793.

Distrainer how to recover the arrear upon the defaulter failing to institute the suit by the time limited in the bond.

X. If an attachment for arrears shall have been issued against an under farmer, ryot, or dependant talookdar, who may have given security for the payment of his rent or revenue, and such under farmer, ryot, or dependant talookdar, shall dispute the justness of the demand, and the surety, within five days commencing from the day following the day of the attachment, or if the property attached shall consist of crops or other ungathered products of the earth, within five days calculating from the day following the day on which such crops or products may be stored, as directed in Section XIII, shall deliver a writing, attested by two witnesses, to the judge of the dewanny adawlut, the cawzy of the pergunnah, or the distrainer, engaging that either he or the stated defaulter will institute a suit in the dewanny adawlut of the zillah, within fifteen days from the date of such writing, to try the demand, and to pay the amount that may be adjudged against them, with interest upon it at the rate of twelve per cent. per annum, to be calculated from the date on which the arrear that may be awarded became payable to the date of the decree, with all costs of suit, the distrainer shall immediately withdraw the attachment. If the surety shall fail to execute such writing within the prescribed period, the distrainer shall continue the property under attachment, and cause it to be sold in the manner directed in Section XXII, unless the arrear and the expenses attending the attachment shall be discharged previous to the day of sale. If the surety shall execute the writing, but fail to have the suit instituted either in his own name or that of the defaulter within the limited period, the distrainer shall demand payment of the arrears from the surety, and in the event of his omitting to discharge the amount immediately, the distrainer shall be at liberty to issue an attachment against the personal property both of the surety and the defaulter, or the personal property of either of them, and to cause it to be sold in the manner directed in Section XXII, unless the arrears and the expense attending the attachment shall be discharged prior to the day of sale. If the surety of the stated defaulter shall refuse or omit to enter into the writing required, or if he shall happen to be at a distance so as to render it impossible for him to execute such writing within the prescribed time, and such defaulter in either of these cases shall give the security required from the defaulters specified in Section IX, the distrainer shall withdraw the attachment, and as far as regards the said arrear, such distrainer, defaulter, and surety, shall be considered in every respect in the same predicament as the distrainers, defaulters, and sureties, mentioned in the said section. Landholders and farmers of land are prohibited distraining or selling the property of the sureties of their under farmers, ryots, and dependant talookdars (nominal sureties excepted as described in Section XXVII) under any pretext whatever, but in the cases specified in this Section and in Section IX. In all other cases landholders and farmers of land are to have recourse to the Dewanny Adawlut of the Zillah for the recovery of any claims which they may have on the sureties of their under farmers, ryots, or dependant talookdars. If any person shall distrain or sell the property of a surety, excepting in the cases above authorized, such surety, provided he be desirous thereof, shall be discharged from his engagement, and the distrainer shall be compelled to restore the property to him, or to pay to him the value of it, if it shall have been sold, damaged, injured or destroyed, or shall not be forthcoming, with all costs of suit.

Under farmers, &c. who have given security for their rent or revenue, and who may contest the arrears, how to procure the attachment to be withdrawn.

Surety to execute writing to try the demand in the Dewanny Adawlut within fifteen days.

Attachment to be withdrawn upon the execution of the writing.

Distrainer how to recover the arrears upon both Surety and Defaulter failing to institute the suit by the time limited in the bond.

Under farmers, &c. how to proceed to get the attachment withdrawn in case of the absence of the Surety, or of his refusing to execute the writing required.

Property of Sureties not liable to distraint or sale, except in the cases herein authorized.

Claim on Sureties on other cases how to be removed.

Penalty for the illegal distraint or sale of the property of Sureties.

XI. If the defaulter shall tender payment of the arrear demanded of him in the presence of two creditable witnesses, after his property shall have been attached, and prior to the day fixed for its being put up to sale, and also of the necessary expenses attending the attachment, the distrainer shall receive the amount of such arrear and expenses immediately upon the same being tendered, and shall forthwith release the property. In case of any dispute arising respecting the expenses of the attachment, it shall be determined by the cawzy of the pergunnah in which the distress may have been levied. The courts of dewanny adawlut are, upon complaint made to them, to punish any distrainer who may act contrary to this Regulation, by awarding against him, in favour of the party injured, damages according to the circumstances of the case, with all costs of suit.

Attachment to be withdrawn if the defaulter shall tender the arrear and expenses of attachment previous to the day of sale.

Penalty.

XII. Distrainers shall not drive or convey distrained cattle or other property out of the limits of the pergunnah in which it may have been attached. The distrainer shall either leave the property upon the premises in the charge of any person he may think proper, or drive or convey it with due care to a proper place as near as possible to the premises within the limits of the pergunnah.

Property distrained not to be taken out of the Purgunnah.

Where to be kept.

XIII. Distrainers who shall attach the crops or any ungathered products of the earth belonging to their under farmers, ryots, or the talookdars paying revenue through them, shall cause such crops or products to be reaped or gathered in due season, and store the same in proper houses, barns or granaries upon the premises, or if there shall be no such places on the premises, in any barn or proper place which can be procured as near thereto

Distrained crops and ungathered products of the earth when to be reaped or gathered and where to be stored.

Reg. XVII.
1793.

Distrained Cattle not to be worked, nor goods or effects used. Distraint to provide food for Cattle or live Stock. Expense how to be defrayed.

Penalty for distrainers neglecting to take due care of the property distrained.

Distress to be proportionate to the arrear. Penalty for excessive distress.

Distress to be levied between sunrise and sunset.

Penalty for attaching property after sunset and before sunrise.

Transfer of a Defaulter's property to prevent distraint, invalid.

Penalty for persons to whom such transfers may be made.

Punishment for under farmers, &c., resisting an attachment, or forcibly or clandestinely taking away their property after it has been attached.

Punishment for persons not being the owners, forcibly or clandestinely taking away property which has been attached.

What places Distrainers may force open to attach the property of Defaulters.

Zenana or women's apartments not to be entered whether the doors be open or shut. Dwelling houses not to be forced open. Punishment for entering women's apartments or forcing open dwelling houses.

Penalty for entering any dwelling house, or breaking open any place not occupied by or in the possession of the defaulter, should no property belonging to him be found therein.

Mode of appraising and selling distrained property.

as possible within the limits of the pergunnah. The expense of reaping or gathering and storing such crops or products shall be paid by the owner upon his redeeming the property, or from the proceeds of the sale in the event of its being sold.

XIV. Distrainers shall not work the bullocks or cattle, or make use of the goods or effects distrained. They shall provide the necessary food for the cattle or live stock, the expense attending which shall be paid by the owner upon his redeeming the property, or from the proceeds of the sale in the event of its being sold.

XV. If property distrained shall be stolen, or lost, or be damaged, injured or destroyed by the weather, or otherwise, whilst in the possession of the distrainer, owing to his not having taken the necessary precautions for the due keeping and preservation of it, he shall make good the loss or damage to the owner.

XVI. The distress levied shall not be excessive, or in other words the property seized shall be, as nearly as possible, proportionate to the amount of the arrear. If any person vested with the power of distraint shall attach any property, the value of which shall be disproportionate to the arrear, and it shall be proved that he could have seized other property of less value, and which would have been sufficient for the liquidation of such arrear, the court of dewanny adawlut shall award to the owner damages according to the circumstances of the case, with all costs of suit.

XVII. All attachments shall be made after sunrise and before sunset. If any person vested with the power of distraint shall seize or attempt to seize the property of any defaulter after sunset and before sunrise, for the discharge of arrears of rent or revenue, such distrainer shall not be entitled to recover the arrear; and, if the property shall have been attached, shall be compelled to restore it to the defaulter, or the value of it, if it shall have been sold, damaged, injured or destroyed, or shall not be forthcoming, with all costs of suit.

XVIII. If any under farmer, ryot, or dependant talookdar, shall make a fraudulent conveyance or transfer of his property to prevent the attachment of it for arrears, the court of dewanny adawlut, upon proof thereof being made before it, shall cause the property to be delivered up to the distrainer, and compel the person to whom such transfer or conveyance shall have been made, to pay to the distrainer damages adequate to the value of one half of the property, with costs of suit.

XIX. If any under farmer, ryot, or dependant talookdar, shall resist the attachment of his property, or shall forcibly or clandestinely take it away after it shall have been attached, the court of dewanny adawlut shall cause him and all persons who may be proved to have been his aiders or abettors, to be imprisoned in the gaol until he shall restore the property to the distrainer, or the arrear shall have been liquidated by the distraint and sale of other property, or otherwise discharged, with the expenses attending the attachment, and costs of suit.

XX. If any person, not being the owner, shall be convicted of forcibly or clandestinely taking away property that has been distrained, the court of dewanny adawlut, upon proof thereof being made before it, shall cause such person or persons to be imprisoned until they restore the property, or make good the value of it to the distrainer, and pay to him as damages a sum equal to the value of such property, and all costs of suit.

XXI. Distrainers are empowered to force open any stable, cowhouse, barn, golah, granary, or other building, and to enter any dwelling house, the outer door of which may be open (excepting the apartments in such dwelling house which may be appropriated for the zenana, or residence of women) and to break open the door of any room in such dwelling house, for the purpose of attaching any property belonging to a defaulter which may be lodged therein. But nothing contained in this regulation shall be construed to authorize persons vested with the power of distraint, or their servants or agents, to enter the zenana, or apartments of women, whether the doors or passages leading thereto be open or not; nor to force open and enter any dwelling house, the outer door of which may be locked or barred. Persons entering the apartments of women, or forcing open the outer door of any dwelling house, shall be imprisoned for six months; the distrainer shall not recover the arrear for which the attachment may have been issued, and he shall be compelled to restore to the defaulter any property that may have been attached, or the value of it, if it shall have been sold, damaged, injured or destroyed, or shall not be forthcoming; and the court shall further award against such distrainer heavy damages, with all costs of suit. And if any person shall enter a dwelling house, or break open any stable, cowhouse, barn, golah, granary, or other building, not occupied by or in the possession of the defaulter, to distraint property belonging to him, and no such property shall be found therein, the distrainer shall be liable to prosecution by the occupant or possessor for entering such house or breaking open such stable or other building, and the court shall award to him damages according to the circumstances of the case, with all costs of suit.

XXII. After the expiration of the fifth day and before the elapse of the eighth day calculating from the day following the day on which the attachment of the property of a defaulter shall have taken place, or, if the property attached shall consist of crops or other ungathered products of the earth, after the elapse of the fifth day, and before the expiration

tion of the eighth day commencing from the day following the day on which such crops or products were stored, as directed in Section XIII, the defaulter shall apply to the cauzy of the pergunnah to have the same appraised and sold. Upon the receipt of such application, the cauzy shall immediately fix up in the head cutcherry of the pergunnah a list of the property attached, with a notice of the day on which it will be sold, which shall be the fifteenth day commencing from the day following the day on which the attachment took place, unless the property shall consist of crops or other ungathered products of the earth, in which case the sale shall be made on the fifteenth day calculating from the day following the day on which such crops or products may be stored, as directed in Section XIII. The cauzy shall nominate two creditable persons competent by their profession, trade or occupation, to appraise the property. The persons so appointed shall appraise the property according to the current price which the several articles may then bear in the country, and shall deliver the particulars of the appraisement in writing, and attest the same with their seals and signatures, and shall make oath before the cauzy, that they have appraised the property according to the best of their knowledge and judgment. The cauzy shall affix his seal to the paper of appraisement, and shall cause it to be stuck up in the cutcherry. The property shall be brought to the cutcherry on the morning of the day of sale, in order that it may be examined by the persons intending to bid, unless it shall consist of grain or other products of the earth, the removal of which would be attended with considerable expense, in which case samples only, indiscriminately taken from each article, shall be brought to the cutcherry and exposed for the purpose abovementioned. The property shall be put up to sale in one lot, or in two or more lots, as the cauzy may think advisable. The sale shall commence at twelve o'clock in the day, and the property shall be disposed of for the highest price that may be offered for it. If the property shall sell for more than the amount of the arrear, the overplus, after deducting the charges attending the attachment and sale of it, shall be returned to the defaulter. If the proceeds of the sale shall be insufficient for the discharge of the arrear and the expenses attending the attachment and sale, the distrainer shall be at liberty to attach other property belonging to the defaulter, and to cause it to be sold to make good the deficiency. The cauzy is in every case to examine the distrainer's statement of the expenses consequent to the attachment and sale of the property, and to reject any part of it that may appear to him unreasonable. If any person vested with the power of distraint shall sell or dispose of property, which he may have attached for arrears of rent or revenue, in any other mode than that prescribed in this section, he shall forfeit the arrear for which the distress may be levied, to the defaulter, and make good to him the value of the property sold or disposed of, with all costs of suit.

XXIII. The cauzy is to be careful to prevent any unfair practices either in the appraisement or sale of property. Upon proof being made before the court of dewanny adawlut of the zillah of his conniving at any such practices, the court shall cause him to make good any loss or injury that the defaulter may have thereby sustained, with costs of suit, and shall immediately report the circumstances of the case to the sudder dewanny adawlut for the information of the Governor General in Council, who, provided there shall appear to him sufficient reason for so doing, shall dismiss such cauzy from his office.

XXIV. The distrainer, the cauzy, and the appraisers, are prohibited purchasing, directly or indirectly, any part of the property. Any cauzy or appraiser offending against this prohibition, shall be compelled to restore the property to the defaulter, or the full value of it, in the event of its being injured, damaged, destroyed, or not forthcoming, and shall forfeit the purchase money which shall be appropriated to the liquidation of the arrear, and pay all costs of suit; and the court shall report the circumstances to the sudder dewanny adawlut for the information of the Governor General in Council, who, if there shall appear to him sufficient ground for so doing, shall dismiss such cauzy from his office. Distrainers acting contrary to the prohibition contained in this section, shall be compelled to restore the property to the defaulter, or the full value of it, if it shall have been injured, damaged or destroyed, or shall not be forthcoming, and shall likewise forfeit to him the arrear for which the property may have been attached, and pay all costs of suit.

XXV. Neither the defaulter, nor any person on his behalf, shall be permitted to bid for or purchase the property.

XXVI. The property shall be paid for within five days after the sale, and the purchaser shall not be permitted to carry away any part of it which shall not have been paid for. Should the purchaser fail in the payment of the whole or part of the purchase money by the limited period, the whole of the property, or the part of it which may be unpaid for, shall be resold by the cauzy, on such day as he shall fix, for whatever it may fetch. The defaulting purchaser shall forfeit to the distrainer fifteen per cent. on the amount of the price for which he purchased the property so re-sold, and make good to him any loss that may arise on the re-sale. If any profit shall accrue on the resale, it shall be carried to the credit of the defaulter.

XXVII. Persons who tenant or underfarm lands in the name of their children, dependants or others, or in the names of fictitious persons, and give themselves as the ostensible sureties for the performance of the agreement, but retain the actual management of the lands and in fact are themselves the under farmers or ryots of such lands, shall, to all intents and purposes, be considered as the under farmers or ryots of such lands, and their property shall

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Reg. XVII.
1793.

Surplus of the proceeds
of property selling for
more than the arrear,
and expenses, how to
be appropriated.

Cauzy to adjust the
expenses of the sale
and attachment. Pe-
nalty for disposing of
property, except as
herein authorized.

Punishment for Cauzies
conniving at unfair
practices in the ap-
praisement or sale of
property.

Distrainer, cauzy, and
appraisers, not to pur-
chase the property.

Penalty.

Defaulters not to bid
for or purchase their
property.

Property sold when to
be paid for.

Penalty in case of non-
payment of the pur-
chase money.

Persons who under the
names of sureties farm
or tenant lands in the
name of others, to be
considered the actual
ryots or farmers of such
lands.

Reg. XVII.
1793.

Landholders and farmers prohibited confining or inflicting corporal punishment on defaulters or their sureties.

What persons are to perform the duties assigned to the cauzy in the event of his absence, or of there being no such officer stationed in the pergunnah.

Heirs and successors of landholders and farmers to distrain for arrears due to the deceased, if entitled thereto.

Managers of estates of disqualified landholders, and managers of undivided estates vested with the power of distraint.

Explanatory Rule respecting defaulters employed in the provision of the Investment or the manufacture of salt.

Principals responsible for the acts of their agents.

Persons deeming themselves injured by the distraint and sale of their property, may seek redress in the Dewanny Adawlut.

Persons vested with the powers of distraint to have the option of prosecuting in the Dewanny Adawlut for arrears.

Suits instituted under this Regulation to be tried in preference to all other suits.

be liable to be distrained and sold for arrears under this Regulation, in the same manner as if the engagement for the lands had stood in their own names.

XXVIII. Landholders and farmers of land are prohibited confining, or inflicting corporal punishment on any under farmer, ryot or dependant talookdar, or their sureties, to enforce payment of arrears of rent or revenue. If any landholder or farmer shall offend against this prohibition, the person so punished or confined, shall be at liberty either to prosecute the offender for assault or imprisonment in the criminal court, or to institute a suit against him in the dewanny adawlut of the zillah, which court shall award damages against such offender, according to the circumstances of the case, with costs of suit.

XXIX. In the event of the absence of the cauzy, or of there being no such officer stationed in the pergunnah, the tesildar, or in case of his absence, or of there being no such officer in the pergunnah, then such person as the judge of the dewanny adawlut of the zillah shall think proper to vest with authority for that purpose, may and shall respectively do all such acts as the cauzy is authorized or directed to perform by this Regulation, and under the like restrictions and penalties, as far as the latter can be inflicted.

XXX. Upon the death of any person vested with the power of distraint by this Regulation, his heirs or successors who may be entitled to the arrears due to him, shall be at liberty to distrain the property of the defaulters, and their sureties in the cases authorized for the recovery of the same, agreeably to this Regulation. It is to be understood likewise, that managers of the estates of disqualified landholders, and managers of undivided estates belonging to two or more proprietors, all of whom do not come within the description of disqualified landholders, are authorized to exercise the same powers for the recovery of arrears of rent or revenue, as the proprietors of the estates committed to their charge would be entitled to exercise under this Regulation, were they to be entrusted with the management of their own estates, subject however to the several rules restrictions and penalties therein specified.

XXXI. The several descriptions of landholders and farmers of land, specified in Section II. are empowered under the restrictions contained in this Regulation, to attach and sell the property of persons employed in the provision of the Company's Investment, or the manufacture of salt, for the recovery of arrears of rent or revenue, without previously stating the claim to the Company's commercial representative, or to any salt agent or other officer employed in the salt department. But such distrainers shall within three days, calculating from the day following the day of the attachment, after they shall have attached the property of any weaver or molungee, or other person employed in the provision of the Company's Investment or the manufacture of salt, send information of such attachment in writing to the commercial resident or salt agent, or the nearest commercial factory or salt cutcherry, that the commercial resident or salt agent may satisfy the demand previous to the time fixed for the sale of the property, or cause such steps to be taken in behalf of the defaulter as may be consistent with this Regulation.

XXXII. If any gomastah, agent, servant or officer of any person vested with the power of distraint, shall attach or cause to be sold the property of any under farmer, ryot, or dependant talookdar, or their sureties, or do any act in the attachment or sale of it contrary to this Regulation, the party aggrieved shall have his remedy against the principal of the offender for such illegal attachment, sale or act, whether the same took place or was done by the orders or with the knowledge of such principal or not. Provided that nothing contained in this Section shall extend to subject a distrainer to imprisonment in the event of any person deputed by him to attach property, entering the zenana, or apartments of women, or breaking open a dwelling house in opposition to the prohibition contained in Section XXI. unless it shall be proved that such acts were done by the order or with the consent or knowledge of such distrainer.

XXXIII. Nothing contained in this regulation shall be construed to prohibit persons whose property may have been distrained or sold, from instituting a suit in the court of dewanny adawlut of the zillah against the distrainer, for any injury which he may think he has hereby sustained. Nor to prevent the several descriptions of landholders or farmers of land, or other persons vested with the power of distraint, from prosecuting in the court of dewanny adawlut of the zillah for arrears due to them from any under farmer, ryot, or dependant talookdar, or their sureties, should they prefer the last-mentioned mode of procedure to distraining and selling the personal property of the defaulter, or, in the cases authorized, of his surety, for the recovery of the arrears under this Regulation.

XXXIV. All suits that may be instituted under this Regulation, are to be heard and determined previous to any other suits which may be depending.

A. D. 1793. REGULATION XXXI.

No. 10.
Regulations and
Orders, of the
Bengal Govern-
ment, respecting
The Weavers.

Reg. XXXI.
1793.

A REGULATION for re-enacting, with modifications and amendments, the Rules passed on the 23d July 1787, and subsequent dates, for the conduct of the Commercial Residents and Agents, and all Persons employed or concerned in the provision of the Company's Investment.—PASSED on the 1st May 1793; corresponding with the 21st Bysaak 1200 Bengal Era; the 6th Bysaak 1200 Fussily; the 21st Bysaak 1200 Willaity; the 6th Bysaak 1850 Sumbut; and the 19th Ramzaan 1207 Higeree.

THE nature and extent of the commercial concerns of the Company, render it necessary that rules should be prescribed for preventing manufacturers, or other persons in their employ, embezzling the money advanced to them, or disposing of the goods provided with it to individuals, and for ensuring the delivery of the goods agreeably to their engagements. No well-founded objection can be offered to such rules by the manufacturers, or others to whom they may extend, whilst they at the same time establish it as a fundamental principle, that no person shall be compelled to work for the Company, and that those who may engage in their employ, shall always be at liberty to relinquish it, after performing the engagements into which they may have voluntarily entered. It is equally requisite, on general principles, that precautions should be taken to prevent the rules adopted for the abovementioned purposes, being rendered subservient to the private views of the officers employed in the provision of the Investment, to the injury of the manufacturers, and the prejudice of the interests of the Company, both in their commercial capacity, and as rulers of the country. As the most effectual mode of guarding against such abuses, and of ensuring justice to the manufacturers and others in their dealings with the Company, the Governor General in Council has determined that the rules to which persons engaging to furnish goods for the Company's Investment may be subjected, shall be incorporated with the laws and regulations for the internal government of the country, and that the officers employed in the immediate superintendence of the provision of the Investment, shall be liable to be sued for any deviation from those rules in the courts of judicature, that every person who may deem himself aggrieved by their official acts, whether originating with themselves, or done in consequence of orders from the superior authorities, may be able to obtain redress with the same facility as for an injury received from any individual. THE following RULES, being the Rules passed by the Governor General in Council on the 23d July 1787, and subsequent dates, with modifications and amendments, adapted to the principles above stated, have been accordingly enacted.

II. Weavers not indebted, nor under engagements to the Company, shall not be compelled to enter into their employ; and weavers indebted, or under engagements to the Company, on duly discharging such debts or engagements, shall not be compelled to enter into fresh engagements.

III. *First.* Weavers who may engage for the provision of any part of the Company's Investment, are to consider themselves as engaging under the following Rules and Conditions.

Second. All engagements with weavers, are to be made in writing, attested by at least two credible witnesses. One copy of the writing is to remain with the commercial resident or his officers, and the remaining copy with the other party to the engagement.

Third. Weavers under engagements to the Company, and who may not intend to take further advances, shall give at least a fortnight's notice of their intention.

Fourth. Weavers indebted to the Company, who have received advances from them, or come under engagements to them, shall, in discharge of such debt, advances, or engagements, deliver cloths, according to agreement. They shall on no account give to any other person or persons whatever, European or Native, either the labour or the produce engaged to the Company; and if they have not fulfilled their engagements by the period agreed on, they shall not work for newer engagements, nor for bazar sales, until those engagements are completed.

Fifth. When any weaver fails to deliver, by the stipulated periods, the cloths for which he may have engaged, the commercial resident shall be at liberty to place peons upon him, in order to quicken his deliveries, and prevent his infringing the two restrictions in the latter part of clause fourth.

Sixth. If notwithstanding the restrictions in the latter part of clause fourth, any weaver shall by himself, or by any other person, sell cloths to private merchants, Europeans or Natives, or to dealers or agents of whatever description, whilst he is deficient in his stipulated deliveries on account of the Company's Investment, he shall be liable to be prosecuted in the dewanny adawlut, and upon proof of the fact, he shall be adjudged to forfeit to the Company all that the produce of the cloths so sold, rated either at what he got for them, or their bazar value, shall exceed the ordinary prime cost of the thread in them, with costs of suit besides, and moreover be obliged to complete his engagements.

No Weaver to be compelled to work for the Company.

Persons under engagements, after fulfilling them not to be compelled to re-engage.

Conditions to which Weavers engaging for the provision of the Company's Investment are to consider themselves subject.

Engagements to be made in writing attested by not less than two witnesses.

Weavers not choosing to take further advances, to give a fortnight's notice.

No Weavers to work for individuals, or bazar sales, until they have completed their engagements on account of the Investment.

Peons may be put on Weavers failing in their engagements for the purposes herein specified.

Penalty for Weavers disposing of cloths to individuals whilst they are deficient in their deliveries on account of the Investment.

Penalty for Weavers failing in their stipulated deliveries.

How the penalty in the preceding Clause is to be recovered.

List of Weavers employed by the Company to be fixed up in the Cutcherry of the Collector.

Persons procuring from Weavers Cloths made with the Company's advances, how to be proceeded against.

No persons to use means to prevent individuals being engaged in the Company's employ.

No public Officers or any individuals to behave with disrespect to the Residents or their Officers; nor to impede the business of the Investment, but to assist it to the utmost of their power.

Weavers in their capacity of Ryots to be subject to the same Regulations as other Ryots, with the exceptions hereafter specified.

Rules for the recovery of arrears of rent from Weavers in the Company's employ.

Weavers, &c. in the Company's employ, not to be summoned by any Native concerned in the collections of the Rents or Revenue of Lands.

How summonses are to be served on Weavers or other persons in the Company's employ, who may be sued in the Dewanny Adawlut.

Seventh. Weavers possessed of more than one loom, and entertaining one or more workmen, shall be subject to a penalty of thirty-five per cent. on the stipulated price of every piece of cloth that they may fail to deliver according to the written agreement which they may have executed, in addition to the repayment of the money advanced for the same.

Eighth. The penalty specified in the preceding clause, shall be sued for in the dewanny adawlut, and shall be recoverable, on the agreement with the weaver, and the failure in his deliveries, being proved.

IV. A list or register of the weavers employed in the provision of the Company's Investment in every pergunnah, specifying their places of abode, shall be fixed up by the commercial resident in the cutcherry of that pergunnah, and shall be corrected at the beginning of every week or month, according to the alterations that may have happened in the week or month preceding. The officers of the cutcherry are to give immediate permission for the exhibition of the list, and the commercial resident shall transmit a copy of it in the native languages once in every three months to the judge of the zillah.

V. Persons procuring from weavers in the Company's employ, by the offer of ready money, or under the pretence of previous engagements which were not avowed, cloths really wrought for the Company, and with their advances, knowing such cloths to be the right of the Company, either by the mark upon them, or the transactions between the weavers from whom they procure them and the Company, or having reason for such knowledge from the notoriety of such weavers being in the Company's employ, or discovering the same by the clandestine methods they take to obtain the cloths, shall be liable to be sued for damages in the dewanny adawlut, and on proof of the fact to its satisfaction, the court shall award to the Company such amount as may appear to it equitable, in addition to the cloths so obtained. But for purchases openly and fairly made in the public haunts and bazars, the buyers shall not be liable to prosecution, unless the cloths have the Company's mark upon them.

VI. All officers of government, proprietors and farmers of land, and dependant talookdars, under farmers and ryots, and their agents and dependants, are enjoined not to hinder the commercial residents or their officers from access to weavers or other persons, in order to treat with them about the Company's business; nor are they to use any arts, menaces, or punishments, to deter weavers or other persons from accepting the Company's advances, under pain of being liable to be sued for damages in the dewanny adawlut.

VII. All officers of Government, proprietors and farmers of land, talookdars, under farmers, and ryots, and their agents and dependants, are strictly prohibited from behaving with disrespect to the commercial residents or their officers; and they are required, on application from the commercial residents or their officers, to afford every assistance for the protection of the weavers and other persons employed by the Company, and the security of the Investment, that may be consistent with the powers and authority vested in them, and the Regulations.

VIII. Weavers employed by the Company, who may cultivate or rent land, are to pay the rent according to their pottahs, in the same manner as other ryots or renters, and under the same rules and regulations, with the exceptions hereafter specified as to the mode of demanding and enforcing payment of arrears of rent due from them.

IX. *First.* To prevent unnecessary interruption to the provision of the Investment, and at the same time that weavers and other persons employed in the provision of it, may not withhold the rent justly due from them for land which they may rent or cultivate, the following Rules are prescribed.

Second. No weaver, or other manufacturer, gomastah, or other officer or person employed in the provision of the Company's Investment, shall be summoned to the cutcherry of any proprietor or farmer of land, or any native holding or entrusted with the collection of the rents or revenue of lands, under any pretence whatever. If any such persons shall have claims on such weavers, manufacturers, gomastahs, or officer, for or relating to arrears of rent, they shall either distrain for the amount under Regulation XVII, 1793, or sue the defaulter for it in the dewanny adawlut, or state their claim in writing to the commercial resident, who, if the weaver, or other person, be then actually employed by the Company, may, if he shall deem it expedient so to do, cause him to satisfy the claim, or satisfy it himself, and stop the amount by kistbundy from his future advances, so that his labour on account of the Company's Investment may not be interrupted. But the cloth, thread, or advances belonging to the Company in the hands of such weaver, or other person, shall in no case be liable for such demand, but shall be restored to the resident.

X. *First.* Persons instituting suits in the dewanny adawlut against a weaver or other manufacturer, or any officer or person employed in the provision of the Company's Investment, are to specify his being so employed in the bill of plaint. In such cases, the summons, with a copy of the plaint, shall be enclosed to the commercial resident under a sealed cover, addressed to the resident, and superscribed with the official signature of the judge or the register. It shall be at the option of the resident to execute, or to cause one of his officers, or any person whom he may think proper, to execute the security required from defendants by Section V, Regulation IV, 1793, and also the security directed to be taken by Section IX, Regulation VII, 1793, for the fees of the authorized vakeel whom the defendant may entertain, or to leave the party summoned to find such securities, and in the latter case, if the officer of the court bearing the summons, where it shall have been transmitted by an officer

officer, shall entertain any doubt of the responsibility of the security so offered, and the resident shall deem it to be sufficient, the officer shall accept the security. If the resident shall not think it proper to order any of his officers, or any other person to become security, and the defendant himself shall not be able to find security which the resident may deem responsible, he is to cause the defendant to accompany the officer of the court to the court, or, if no officer shall have been sent with the summons, to appear in person before the court, that he may be dealt with in the same manner as other defendants not giving the required security.

Second. The residents are to empower the head officer at each of the different aurungs or kotees subordinate to them, and also an authorized vakeel of the dewanny adawlut, or any other person whom they may think it proper to station at the place at which the court may be held, to execute securities for the persons, and in the cases specified in the preceding clause. The residents are to be careful to keep the judges furnished with a list of the persons so empowered, specifying also the place at which they may usually reside, and the judges are authorized, in instances in which they may deem it proper, either from the distance of the place of abode of the resident from the place at which the party summoned may reside, or other circumstances, to order the summons to be inclosed to one of the persons so empowered to become security, instead of transmitting it to the resident himself, under the preceding clause, in which case, such person shall proceed in the same manner as the resident is directed to proceed, where the summons may be sent immediately to him.

Third. If any person shall prefer a suit in the dewanny adawlut against a weaver or other manufacturer, or any officer or person employed in the provision of the Company's Investment, without specifying that the defendant is so employed, and the summons shall in consequence be ordered to be served on the defendant, in the same manner as on other defendants, the officer serving the same, upon the circumstance of the defendant being so employed, being notified to him by the resident, or any of his officers, or by the defendant himself, shall deliver the summons to the nearest person empowered to execute the securities in the cases specified in clause first, whether the resident, or the head officer of an aurung or kotee, who shall proceed in the manner prescribed to the resident in that clause. If the officer shall receive the notification of the defendant being in the Company's employ, from the defendant only, and shall entertain doubts of his being so employed, or if he shall not entertain any doubt of his being so employed, but shall apprehend that he will abscond whilst he (the officer) is repairing with the summons to the person empowered to execute the securities, he shall in such case, carry the defendant, with the summons, to the person so empowered, and shall not release him, until the required securities have been executed.

Fourth. In cases in which a weaver or other manufacturer, or any officer or person employed in the provision of the Company's Investment, shall be charged before the magistrate with a bailable offence, the warrant shall be served in the manner directed in the preceding clauses with regard to summonses in civil cases, with this difference, that the warrant shall require the party summoned to appear in person, or by vakeel, as the magistrate may think proper, and shall specify the amount of the sum for which the security or recognizance for the appearance of the defendant is to be given, and the amount of which shall be regulated by the magistrate, according to the nature of the charge, and the situation and circumstances in life of the defendant.

Fifth. In all the cases specified in the preceding clauses of this Section, the resident or head officer through whom the summons or warrant may be served, shall return on the back of it in what manner it has been served, and by whom the security has been executed.

Sixth. If a charge shall be preferred to a magistrate against any weaver or other manufacturer, or any officer or person employed in the provision of the Company's Investment, for an offence that is not bailable, and there shall appear to the magistrate sufficient ground for apprehending the person so charged, the warrant for his apprehension shall require him to appear immediately in person, and shall be executed in the same manner as upon persons not so employed. But the officer, after securing the offender, is to give notice of his apprehension to the resident, or the head officer of the nearest aurung or kotee.

Seventh. The darogahs of police are to observe the rules prescribed in clauses fourth and sixth of this Section, in complaints that may be preferred to them against weavers or other manufacturers, or officers or persons in the employ of the Company.

Eighth. In all cases in which the residents, or their head officers empowered for that purpose, shall become security under any of the clauses of this Section, for the appearance of any person employed in the Investment, or for the fees of his vakeel, or shall declare any person whom the party summoned may offer as security, to be responsible, the resident is to be considered personally answerable for the due performance of the conditions of the security, in the event of the party for whom the security may be given not performing them himself, or, where the party himself shall have given the security, and it shall have been declared responsible by the resident, or his head officer of an aurung or kotee, in the event of the party or his surety not performing them. It will accordingly be the business of the residents to take care to employ creditable persons only as head officers at the several aurungs and kotees to superintend the business, and become security, and to

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Residents to empower
persons to become
security, and Judges
may transmit sum-
monses to them.

How obedience to
a summons is to be
enforced if issued
against a person em-
ployed in the Com-
pany's Investment,
without its having been
so specified in the
plaint.

How warrants for
bailable offences
against persons em-
ployed in the Invest-
ment, are to be served.

Return to be made on
the back of summonses,
and warrants served
as above directed.

Warrants for offences
not bailable, how to be
executed on persons
in the Company's
employ.

Darogahs of Police
to observe the rules
in Clauses Fourth
and Sixth.

Residents and their
Head Officers to be
responsible for the
performance of the
conditions of the
Securities they may
execute or approve.

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How Summonses on persons employed in the Investment when required as Witnesses, are to be executed.

Residents and their Head Officers forbidden to apply the above Rules to persons not employed in the Company's Investment.

Discretionary power vested in the Judges and Magistrates of causing the immediate attendance of all Natives employed in the Investment.

Restrictions under which this discretionary power is to be exercised.

Transactions between private Traders and Weavers cognizable in the Courts of Dewanny Adawlut, the Judges of which are to decide according to the case and the Regulations.

Decisions in favour of private Traders against Weavers previously in the employ of the Company, to be made with a saving of their claims, which are to be first satisfied provided they be proved.

Punishment for Gomastahs, &c. changing cloths, and committing the offences herein specified.

Rules regarding Weavers applicable to others providing goods for the Investment.

Rules for Residents trading on their own account.

Resident to supply the Company's goods in the first instance.

furnish them with proper instructions, and to take such security from them, as they (the residents) may deem sufficient to indemnify themselves for the consequences that may result from any abuse which such officers may commit in the exercise of their trust.

Ninth. Summonses to weavers or other manufacturers, or officers, or any persons employed in the Company's Investment, as witnesses, shall be served in the same manner as if they were parties in the cause, but the judges are to be careful not to summon such persons excepting when their attendance shall be absolutely necessary, and on their appearance, to have them examined and dismissed with all practicable dispatch, so that they may be absent from the business of the Investment as short a time as possible.

Tenth. The residents, and their head officers, are declared liable to be sued in the dewanny adawlut, should they apply any of the rules in the preceding clauses of this Section regarding summonses and warrants issued against persons employed in the Investment, to persons not bona fide so employed. And as the rules contained in those clauses, are intended only to prevent unnecessary interruption to the Investment, where it can be avoided without impeding the course of justice, the judges and magistrates are empowered in particular cases in which it may appear to them indispensably necessary for the purposes of justice, to order the personal attendance of any native officer or person in anywise concerned or employed in the Investment, whether he may be a party or a witness in the suit or prosecution, notwithstanding any thing that may be said to the contrary in those clauses, and to cause process to be executed upon him for that purpose, in the same manner as upon other individuals; but in such cases, the judges and magistrates are to record their reasons for deviating from the prescriptions contained in the said clauses, which are to be considered as the general rules for issuing and executing such summonses and warrants, and in the summons or warrant, they are to specify that it has been specially ordered to be so executed, in virtue of the discretionary power vested in them by this clause; and they are moreover strictly enjoined to refrain from every unnecessary exercise of this discretionary power.

XI. All complaints of weavers against individual traders, and vice versa, are to be considered as matters of a private nature between the parties, who are to have recourse to the proper courts of judicature, should they have any ground of complaint against each other for breach of engagements, or other cause. The courts are to decide according to the tenor of the engagements between the parties, if any engagements exist, and the regulations. But where weavers are employed at the same time by more than one foreign or private agent, they shall deliver first to the previous contractor, and afterwards to the others, according to priority of engagements.

XII. *First.* Decisions in favour of private merchants, or other individuals, against weavers who were in the employ of the Company at the time they entered with such private merchants or individuals into the agreements on which they are sued (their having been so employed being proved by the lists of the Company's weavers published at the cutcherries and transmitted to the judge of the dewanny adawlut as directed in Section IV, as well as by the dates of the respective agreements and transactions consequent to them) shall be made with a saving to the Company of their claims on such weavers, which claims also are to be proved in court. And that this rule may be carried into effect, before execution follows at the suit of an individual against any weaver in that list, the Company's commercial resident shall be desired to state whether such weaver was in the employ of the Company when the agreement on which he may be cast was made, as also whether the Company have any and what demand upon him, and to make proof of the same; which being satisfied or secured, the sum decreed against him in favour of the individual shall next be made good from his property, but his person shall not be liable to attachment.

XIII. Gomastahs, deedars, mokeems, and all native servants and persons of whatsoever description, employed under the Company's factories or aurungs in the provision of their Investment, guilty of changing the Company's cloths; accepting of money from individuals for abetting or conniving at the alienation of them by the weavers; writing false balances in the Company's accounts; embezzling otherwise the property entrusted to them; or exacting money in any shape from weavers to whom advances are made; shall, on conviction in the court of dewanny adawlut to which they may be amenable, forfeit double the amount of the value of the property, or the money which they may have embezzled, alienated, or exacted, and shall be further liable to imprisonment for any term that the court may judge proper, not exceeding twelve months, and upon the circumstances being represented by the Board of Trade to the Governor General in Council, he will, if it shall appear to him proper, declare the offender incapable of serving Government in any capacity.

XIV. All the rules in this Regulation regarding weavers employed for the Company, are to be considered to extend, in their principles and meaning, to the manufacturers and other persons employed in the provision of raw silk, and of the other articles of the Company's Investment provided within the Provinces of Bengal, Behar, or Orissa.

XV. *First.* The following Rules are prescribed for the conduct of commercial Residents carrying on trade for themselves.

Second. The Resident shall supply, or ensure the Company's demand for goods, as far as the ability of his aurung will go, before he provides any for himself.

Third.

Third. He shall carefully and avowedly distinguish to the manufacturers, between the Company's provision and his own.

To distinguish the Company's provision from his own.

Fourth. He shall give them the price for which they may choose to deal with him, without making the Company's prices a standard for his own trade.

Company's prices not to be made the standard of his own trade.

Fifth. He shall not make use of any influence he may possess, as the Company's representative, to induce the manufacturers to work for him in preference to other dealers.

Not to use his official influence to make the Manufacturers work for him in preference to others.

Sixth. He shall be subject to the same regulations, in case of disputes with manufacturers, as other private traders.

Subject to the same rules as private Traders.

Seventh. He shall not take any commission for agents or others, but deal merely on his own stock as a merchant.

To deal on his own stock.

Eighth. He shall not carry on any trade in his aurung, directly or indirectly, in the name of any other person.

Not to trade in the name of another.

Ninth. Whatever goods he may provide of the produce of the aurung where he is stationed, shall not be sold there, nor sent to any foreign settlement, but shall be consigned to some other place, and if brought to Calcutta, or sent by manjee to the upper provinces, shall be registered in his name in the custom-house books.

His goods not be sold at his own Aurung, nor sent to a foreign Settlement.

Tenth. He shall state to the Board of Trade by the 15th of December in every year, the gross amount of the money invested or to be invested by him on his own account, as nearly as he can judge of the same, from the 1st May preceding to the 30th April following, and the Board of Trade shall thereupon communicate to the Governor General in Council any remarks that may appear to them proper.

To deliver an annual Statement of his private trade to the Board of Trade.

XVI. The commercial residents and their native officers of every description, are declared liable to be sued in the dewanny adawlut by weavers or others with whom they may use compulsion to make them enter into the Company's employ, or whose names they may improperly insert in the list specified in Section IV, or whom they may not pay for their cloths or goods according to the engagements entered into between them and the Company, or who may not obtain in due time a fair settlement of accounts, or who may suffer unjust exactions from peons put over them; or for any breach of this Regulation, or any other Regulation regarding the provision of the Investment, printed and published in the manner directed in Regulation XLI, 1793. In all such cases, whether the act complained of shall have been done by the resident or any of his officers, the party aggrieved is in the first instance to state his complaint to the resident, and in the event of his refusing to afford the required redress, or omitting to grant it within a reasonable time, the complainant may then sue the resident, whether the injury complained of shall have been done by himself or his officer. But the courts are not to receive any suit that may be preferred against a resident or any of his officers, unless the complainant shall prove to the satisfaction of the court, by oath, or by any other mode which the court may deem satisfactory, that he applied to the resident for redress, and that he refused to afford the redress required, or omitted to grant it within a reasonable time. Either party dissatisfied with the award or decision of a resident, on any complaint made to him under this Section, may appeal from it to the dewanny adawlut.

Residents and their Officers liable to be sued in the Dewanny Adawlut for breach of Regulations, under the restrictions herein specified.

XVII. In suits instituted against a resident or any of his officers, under the preceding Section, and where the act complained of shall not have been done pursuant to special orders from the Board of Trade, or the Governor General in Council, the party complained against is to appoint one of the authorized vakeels of the court to defend the suit at his own risk.

Resident and his Officers to defend suits instituted against them for a breach of the Regulations, at their own risk.

XVIII. The residents may take upon themselves the defence of any suits which may be instituted against their officers, but in such cases the residents are to be answerable for the decree of the court, in the same manner as if the suit had been originally instituted against them.

Residents may take upon themselves the defence of suits instituted against their Officers.

XIX. When any process shall be issued by a court of civil judicature to a commercial resident, the judge, or the register of the court, is to transmit it under a sealed cover, addressed to the resident in the form of a letter, and superscribed with his name and official appellation. The resident is immediately to acknowledge the receipt of the process by an endorsement to that effect on the instrument, and to return it under a sealed cover addressed to the judge or the register of the court from which it may have issued.

Process issued against Residents, how to be served.

XX. Where the Board of Trade shall approve of decisions given against the commercial residents or their officers, in suits in which they may have been engaged in their official capacity, and which may not have been prosecuted or defended by them, pursuant to orders from the Board, or the Governor General in Council, they are empowered to make the resident, or his officer by whom the act complained of may have been done, responsible for the whole or any part of the costs and damages awarded by the decree, or of the decree itself, if upon a consideration of the merits of the case, and of the conduct of the person against whom the decree may be given, or the act complained of may have been done, they shall be of opinion that the Company ought not to be charged with all or any part of such costs or damages, or decree. But in such cases, the

By whom decrees, costs and damages given against Residents and their Officers, are to be made good.

person

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1793.

person whom they may so determine to hold responsible, may appeal the cause at his own risk and cost.

Board of Trade may authorize an appeal from any decision passed against the Resident or his Officers.

XXI. If the Board of Trade shall be dissatisfied with a decree passed against a commercial resident or any of his officers, in suits in which they may have been engaged, either with or without their orders, or the orders of the Governor General in Council, they may authorize an appeal from it under the Regulations, in which case the appeal shall be carried on in the provincial court of appeal, and in the sudder dewanny adawlut (should the cause be carried to the last-mentioned court) by the vakeel of Government, or by any other authorized vakeel of the Court into which the cause may be brought, notwithstanding any thing that may be said to the contrary in any Regulation passed on this date.

Security not to be demanded from Residents or their Head Officers for their appearance, or costs, or damages, or decrees.

XXII. Security is not to be demanded from the commercial residents, or the head officers of aurungs or kotees who may be empowered to execute securities, for their personal appearance in any suit in which they may be engaged in their official capacity; nor shall security be required from them for the payment of costs or damages, or for the performance of the decrees or orders of the courts, as Government will be responsible for causing the residents to answer to such suits instituted against them, and to make good the decrees, and will hold them responsible for their head officers of aurungs or kotees answering to such suits preferred against them, and performing the decrees that may be passed therein.

Residents and their Head Officers not liable to prosecution for the acts of their predecessors. What Suits they are bound to defend after removal from office.

XXIII. The residents, and their head officers of kotees or aurungs, shall not be liable to prosecution for official acts of their predecessors. But persons who may be removed from a residency, or from the place of head officer of an aurung or kotee, are to carry on in the same manner as if they had continued in the office, all suits instituted against them in their official capacity, unless the Board of Trade, upon a consideration of the circumstances of the cases, shall deem it advisable to order their successors to carry on the suits. This rule however is not to extend to suits in which a resident or head officer, who may have been removed, shall have been engaged in virtue of orders from the Board of Trade, or the Governor General in Council; all such suits are to be carried on by the resident for the time being, and at the risk and expense of Government.

Residents and their Head Officers allowed to forward instructions to their Vakeels by the Dawk, free of postage.

XXIV. To facilitate the communication between the residents and their head officers of aurungs or kotees, and their vakeels in the zillah or city courts, or the provincial courts of appeal, and the sudder dewanny adawlut, who may be entrusted with the conduct of any suits or appeals in which they may be engaged in their official capacity, either whilst they may continue in the office, or after their removal from it, they are permitted to forward, free of postage, any instructions which they may have to transmit to their vakeels in those courts. The instructions are to be enclosed under a sealed cover directed to the vakeel. The instructions so sealed and directed, are to be transmitted under a sealed cover, addressed to the register of the court in which the cause may be depending, and superscribed with the name and official appellation of the person dispatching it, or that which he bore when the cause of action arose. The register of the court, immediately on receiving the instructions, is to deliver them sealed to the vakeel to whom they may be directed. In like manner, the vakeels in any of the courts to whom the pleading of such suits or appeals may be committed by commercial residents, or their head officers above-mentioned, are authorized, either whilst their constituents remain in such office, or after they shall have been removed from it, to forward any papers which they may have to convey to their constituents by the public dawk, free of postage. The papers are to be enclosed in a cover sealed with the seal of the vakeel, and the judge, or the register to the court, is to transmit the papers so sealed, in a cover sealed and addressed to the person to whom they are to be forwarded, and superscribed with his official signature.

Instructions to be sealed and inclosed under a sealed cover addressed to the Register of the Court, who is to deliver them sealed.

The Vakeels may in like manner forward instructions to their constituents through the Register.

Cases in which the Board of Trade are to take upon themselves the prosecution or defence of Suits or Appeals.

XXV. In cases in which the Board of Trade may judge it expedient, or in which they may receive orders for the purpose from the Governor General in Council, they are to take upon themselves the superintendence of the prosecution or defence of any suit or appeal in which they or their officers may be engaged, either in a zillah or city court, or in a provincial court of appeal, or in the sudder dewanny adawlut, instead of leaving the superintendence of the conduct of the suit or appeal to the resident, or any of his officers.

Residents and their Head Officers not to derive any advantage from Suits. Nor to sustain any loss if their conduct be approved.

XXVI. Neither the commercial residents, nor their head officers of aurungs or kotees, are to derive any advantage whatever from suits in the courts of justice in which they may be engaged, or in anywise concerned, in their official capacity. On the other hand, it is not intended, that the residents or their abovementioned officers should sustain any loss in consequence of such suits, where their conduct may be adjudged to be conformable to the regulations, or may be approved by the Board of Trade, or the Governor General in council. The Commercial residents and their head officers of aurungs or kotees, are accordingly to bring to the credit of the Company in their accounts, all sums whatever that may be adjudged to them by any of the courts of justice, and they are to note at the foot of their accounts, or in a separate account, or under a distinct head in their accounts, according as the Board of Trade may direct, all sums which they may disburse, or be adjudged to pay, on account of suits in which they may be engaged, or be concerned, in their official capacity; but no such disbursements or payments are to be considered as passed to the debit of the Company, until the previous sanction of the Board of Trade, or the Governor General in Council, shall have been obtained for that purpose, and until such

Sums disbursed by Residents and their Head Officers not to be carried to the debit of the Company without orders from the superior authorities.

sanction

sanction is procured, the residents or the officers making the disbursements or payments, are to be held answerable for the amount.

XXVII. The rules in this regulation respecting commercial residents, are to be considered equally applicable to their assistants having the charge of the business, or to any other person being a covenanted servant of the Company, and entrusted with the superintendence of the provision of goods for the Company's Investment at any auring, whatever may be his official appellation.

Rules regarding Commercial Residents applicable to their assistants or other servants entrusted with the business.

XXVIII. If a weaver or manufacturer, or any native employed in the provision of the Company's Investment, shall deem himself aggrieved by any act done in opposition to this regulation by a commercial resident, or any covenanted servant of the Company having the charge of the business of an auring, pursuant to special orders from the Board of Trade, or the Governor General in Council, he will be at liberty to seek redress in the mode prescribed for such cases in Section XI, Regulation III, 1793.

Natives aggrieved under this Regulation by special orders of the Governor General in Council, or the Board of Trade, how to obtain redress.

A. D. 1795. REGULATION XXII.

Section LXXXV. In consequence of complaints preferred by the weavers in the sircar ghazee poor, of the impositions practised on them by the dellols and dustoories, orders were issued on the 22d of March and 22d of July 1790, notifying that the weavers throughout the four sircars, composing the zemindarry of Benares, were to be considered as having the option of carrying on their business, either through or without the interference of the above-named intermediate agents, and that they were at full liberty to bring their cloths into any bezar or market, and freely to dispose of them to the best advantage; and that no person was to presume, on any pretence, to fix any price on their goods; and that they were to sell their fabrics to whomsoever they might think proper, and for such price as they and the purchaser might mutually and voluntarily settle.

Reg. XXII.
1795.

A. D. 1799. REGULATION N° VII.

Section IV. The same principle is to be observed with respect to the sale of ungathered products, after the distrainer shall have gathered and stored them, as required by Section XIII, of Regulation XVII, 1793, and which are not to be sold until publication shall have been made, as above directed. In consequence of this alteration, which is made with a view to expedite the sale of distrained property, distrainers when they attach the property of persons employed in the provision of the Company's Investment, or in the manufacture of salt, are to give the notice directed in Section XXXI, of Regulation XVII, 1793, as soon as possible after making the attachment; and in such cases the property is not to be sold until sufficient time has been given to enable the Company's officers to satisfy the demand before the day of sale. The notice required by the above Section, however, may, at the option of the distrainer, be either given to the commercial resident or salt agent, in whose division the defaulter may have been employed, or to the native superintendent of the factory or saltehokey to which the defaulter may be attached.

Reg. VII.
1799.

A. D. 1795. REGULATION XLV.

Section III. Persons vested with the power of distraint, shall not distrain or sell the lands, houses, or other real property of their under farmers and ryots, or of the zemindars or putteedars paying revenue through them; nor goods or advances belonging to the Company; nor the loom, thread, unwrought silk, or materials of manufacture of any weaver or manufacturer; nor the tools of any tradesman or labourer, standing towards them in the relation of under farmer, ryot, or dependant zemindar or putteedar: all such distraints and sales are declared illegal and void. The defaulter shall stand acquitted of the arrear for which the distress may be levied, and the property shall be restored to him, or the distrainer shall be compelled to make good to him the value of it, if it shall be personal property, and shall have been destroyed, damaged or injured, or shall not be forthcoming, and the distrainer shall be further obliged to pay to him damages adequate to the loss which he may prove to have sustained in consequence of such attachment or sale, with all costs of suit.

Reg. XLV.
1795.

No. 10.

Regulations and
Orders, of the
Bengal Govern-
ment, respecting
The Weavers.

Reg. XXXVII.
1803.

A. D. 1803. REGULATION XXXVII.

A REGULATION prescribing Rules respecting the provision of the Honourable the English East India Company's Investment, in the Provinces ceded by the Nawaub Vizier to the Honourable the English East India Company.—PASSED by the Governor General in Council, on the 24th of March 1803; corresponding with the 12th Choite 1209 Bengal Era; the 16th Choite 1210 Fussily; the 12th Choite 1210 Willaity; the 16th Choite 1860 Sumbut; and the 29th Zekaad 1217 Higeree.

WHEREAS the nature and extent of the commercial concerns of the Company render it necessary, that rules should be prescribed for preventing manufacturers, or other persons in their employment, from embezzling the money advanced to them by the Company, or from disposing of the goods provided with such money to individuals; and also for ensuring the punctual delivery of goods, engaged to be provided on account of the Company: And whereas no well-founded objection can be offered to such rules by the manufacturers, or others to whom they may extend; while it is established by the same rules, as a fundamental principle, that no person shall be compelled to provide goods for the Company, and that those persons who may be employed by them shall always be at liberty to relinquish their employ, after performing the engagements into which they shall have voluntarily entered: And whereas it is equally requisite, on general principles, that precaution should be taken to prevent the rules adopted for the abovementioned purposes, from being rendered subservient to the private views of the officers employed in the provision of the Investment, to the injury of the manufacturers, and to the prejudice of the interests of the Company, both in their commercial capacity, and as rulers of the country: And whereas the Governor General in Council has determined, with a view of more effectually guarding against such abuses, and of ensuring justice to the manufacturers and others in their dealings with the Company, that the rules to which persons engaging to furnish goods for the Company's Investment may be subjected, shall be incorporated with the laws and regulations for the internal government of the country, and that the officers employed in the immediate superintendence of the provision of the Investment, shall be liable to be sued for any deviation from those rules in the courts of judicature, affording thereby to every person deeming himself aggrieved by their official acts, whether originating with themselves, or done in consequence of orders from the superior authorities, the means of obtaining redress, with the same facility as for an injury received from any individual: THE following RULES have been accordingly enacted:—

No weaver to be compelled to work for the Company.

Persons under engagements, after fulfilling them, not to be compelled to re-engage.

Conditions to which weavers engaging for the provision of the Company's Investment, are to consider themselves subject.

Engagements to be made in writing, attested by not less than two witnesses.

Weavers not chusing to take further advances to give a fortnight's notice.

No weavers to work for individuals, or bazar sales, until they have completed their engagements on account of the Investment.

Peons may be put on weavers failing in their engagements, for the purposes herein specified.

Penalty for weavers disposing of cloths to individuals whilst they are deficient in their deliveries, on account of the Investment.

II. Weavers not indebted, nor under engagements to the Company, shall not be compelled to enter into their employ; and weavers indebted, or under engagements to the Company, on duly discharging such debts or engagements, shall not be compelled to enter into fresh engagements.

III. *First.* Weavers who may engage for the provision of any part of the Company's Investment, shall consider themselves as engaging under the following rules and conditions.

Second. All engagements with weavers shall be made in writing, attested by at least two credible witnesses. One copy of the writing shall remain with the commercial resident or his officers, and the remaining copy with the other party to the engagement.

Third. Weavers under engagements to the Company, and who may not intend to take further advances, shall give at least a fortnight's notice of their intention.

Fourth. Weavers indebted to the Company, who have received advances from them, or come under engagements to them, shall, in discharge of such debt, advances or engagements, deliver cloths according to agreement. They shall on no account give to any other person or persons whatever, European or Native, either the labour or the produce engaged to the Company; and if they have not fulfilled their engagements by the period agreed on, they shall not work for newer engagements, nor for bazar sales, until those engagements are completed.

Fifth. When any weaver fails to deliver, by the stipulated periods, the cloths for which he may have engaged, the commercial resident shall be at liberty to place peons upon him, in order to quicken his deliveries, and prevent his infringing the two restrictions in the latter part of Clause Fourth.

Sixth. If notwithstanding the restrictions in the latter part of Clause Fourth, any weaver shall by himself, or by any other person, sell cloths to private merchants, Europeans or Natives, or to dealers or agents of whatever description, whilst he is deficient in his stipulated deliveries on account of the Company's Investment, he shall be liable to be prosecuted in the court of adawlut, and upon proof of the fact, he shall be adjudged to forfeit to the Company

Company all that the produce of the cloths so sold, rated either at what he got for them, or their bazar value, shall exceed the ordinary prime cost of the thread in them, with costs of suit besides, and moreover be obliged to complete his engagements.

Seventh. Weavers possessed of more than one loom, and entertaining one or more workmen, shall be subject to a penalty of thirty-five per cent. on the stipulated price of every piece of cloth that they may fail to deliver according to the written agreement which they may have executed, in addition to the repayment of the money advanced for the same.

Penalty for weavers failing in their stipulated deliveries.

Eighth. The penalty specified in the preceding clause shall be sued for in the court of adawlut, and shall be recoverable on the agreement with the weaver, and the failure in his deliveries, being proved.

How the penalty in the preceding clause is to be recovered.

IV. A list or register of the weavers employed in the provision of the Company's Investment, in every pergunnah, specifying their places of abode, shall be fixed up by the commercial resident in the cutcherry of that pergunnah, and shall be corrected at the beginning of every week or month, according to the alterations that may have happened in the week or month preceding. The officers of the cutcherry shall give immediate permission for the exhibition of the list; and the commercial resident shall transmit a copy of it in the native languages, once in every three months to the judge of the zillah.

List of weavers employed by the Company, to be fixed up in the cutcherry of the collector.

V. Persons procuring from weavers in the Company's employ, by the offer of ready money, or under the pretence of previous engagements which were not avowed, cloths really wrought for the Company, and with their advances, knowing such cloths to be the right of the Company, either by the mark upon them, or the transactions between the weavers from whom they procure them, and the Company, or having reason for such knowledge from the notoriety of such weavers being in the Company's employ, or discovering the same by the clandestine methods they take to obtain the cloths, shall be liable to be sued for damages in the court of adawlut; and on proof of the fact to its satisfaction, the court shall award to the Company such amount as may appear to it equitable, in addition to the cloths so obtained. But for purchases, openly and fairly made in the public haunts and bazars, the buyers shall not be liable to prosecution, unless the cloths have the Company's mark upon them.

Persons procuring from weavers cloths made with the Company's advances, how to be proceeded against.

VI. All officers of Government, proprietors and farmers of land, and dependant talookdars, under-farmers and ryots, and their agents and dependants, are enjoined not to hinder the commercial residents or their officers from having access to weavers, or other persons, in order to treat with them about the Company's business; nor are they to use any arts menaces or punishments, to deter weavers, or other persons, from accepting the Company's advances, under pain of being liable to be sued for damages in the court of adawlut.

No persons to use means to prevent individuals being engaged in the Company's employ.

VII. All officers of Government, proprietors and farmers of land, talookdars, under-farmers, and ryots, and their agents and dependants, are strictly prohibited from behaving with disrespect to the commercial residents or their officers; and they are required, on application from the commercial residents or their officers, to afford every assistance for the protection of the weavers and other persons employed by the Company, and the security of the Investment, that may be consistent with the powers and authority vested in them, and the Regulations.

No public officers or any individuals to behave with disrespect to the residents or their officers; nor to impede the business of the Investment, but to assist it to the utmost of their power.

VIII. Weavers employed by the Company, who may cultivate or rent land, shall pay the rent according to their pottahs, in the same manner as other ryots or renters, and under the same rules and regulations, with the exceptions hereafter specified as to the mode of demanding and enforcing payment of arrears of rent due from them.

Weavers in their capacity of ryots, to be subject to the same regulations as other ryots, with the exceptions hereafter specified.

IX. *First.* To prevent unnecessary interruption to the provision of the Investment, and at the same time that weavers and other persons employed in the provision of it may not withhold the rent justly due from them for land which they may rent or cultivate, the following Rules are prescribed.

Rules for the recovery of arrears of rent from weavers in the Company's employ.

Second. No weaver or other manufacturer, gomastah, or other officer or person, during the period he may be actually employed in the provision of the Company's Investment, shall be summoned to the cutcherry of any proprietor or farmer of land, or any native holding or entrusted with the collection of the rents or revenue of lands, under any pretence whatever. If any such persons shall have claims on such weavers, manufacturers, gomastahs or officer, for or relating to arrears of rent, they shall either distrain for the amount, under Regulation XXVIII, 1803, or sue the defaulter for it in the court of adawlut, or state their claim in writing to the commercial resident, who, if the weaver or other person be then actually employed by the Company, may, if he shall deem it expedient so to do, cause him to satisfy the claim, or satisfy it himself, and stop the amount by kistbundy from his future advances, so that his labour, on account of the Company's Investment, may not be interrupted. But the cloth, thread, or advances belonging to the Company in the hands of such weaver or other person, shall in no case be liable for such demand, but shall be restored to the resident.

Weavers, &c. in the Company's employ not to be summoned by any native concerned in the collection of the rents or revenue of lands.

Such persons to be liable to the ordinary process, when their engagements have been fulfilled.

Third. The summary process for arrest and confinement, authorized by the six first clauses of Section XXXII, Regulation XXVII, 1803, is hereby declared not applicable to any persons who may be under engagements to the Company for any part of their investment, or who may be actually employed in providing the same. When such engagements may have been fulfilled, however, or whenever any weaver or other person in the Company's employ may have satisfied all demands upon him on the part of the Company, he will be liable, in common with other under-tenants, to be proceeded against for arrears of rent, as authorized by the above Regulation, or by any other Regulation applicable to persons not in the Company's employ.

How summonses are to be served on weavers or other persons in the Company's employ who may be sued in the Adawlut.

X. *First.* Persons instituting suits in the court of adawlut against a weaver or other manufacturer, or any officer or person employed in the provision of the Company's Investment, shall specify his being so employed in the bill of plaint. In such cases the summons, with a copy of the plaint, shall be enclosed to the commercial resident under a sealed cover, addressed to the resident, and superscribed with the official signature of the judge or the register. It shall be at the option of the resident to execute, or to cause one of his officers, or any person whom he may think proper, to execute the security required from defendants by Section V, Regulation III, 1803, and also the security directed to be taken by Clause Sixth, of Section VIII, Regulation X, 1803, for the fees of the authorized vakeel whom the defendant may entertain, or to leave the party summoned to find such securities; and in the latter case, if the officer of the court bearing the summons, where it shall have been transmitted by an officer, shall entertain any doubt of the responsibility of the security so offered, and the resident shall deem it to be sufficient, the officer shall accept the security. If the resident shall not think it proper to order any of his officers, or any other person, to become security, and the defendant himself shall not be able to find security which the resident may deem responsible, he shall cause the defendant to accompany the officer of the court to the court, or, if no officer shall have been sent with the summons, to appear in person before the court, that he may be dealt with in the same manner as other defendants not giving the required security.

Residents to empower persons to become security, and judges may transmit summonses to them.

Second. The residents shall empower the head officer at each of the different aurungs or kotees subordinate to them, and also an authorized vakeel of the court of adawlut, or any other person whom they may think it proper to station at the place at which the court may be held, to execute securities for the persons, and in the cases specified in the preceding clause. The residents will be careful to keep the judges furnished with a list of the persons so empowered, specifying also the place at which they may usually reside; and the judges are authorized, in instances in which they may deem it proper, either from the distance of the place of abode of the resident from the place at which the party summoned may reside, or other circumstances, to order the summons to be inclosed to one of the persons so empowered to become security, instead of transmitting it to the resident himself under the preceding clause, in which case such person shall proceed in the same manner as the resident is directed to proceed where the summons may be sent immediately to him.

How obedience to a summons is to be enforced if issued against a person employed in the Company's Investment without its having been so specified in the plaint.

Third. If any person shall prefer a suit in the court of adawlut against a weaver or other manufacturer, or any officer or person employed in the provision of the Company's investment, without specifying that the defendant is so employed, and the summons shall in consequence be ordered to be served on the defendant, in the same manner as on other defendants; the officer serving the same, upon the circumstance of the defendant being so employed being notified to him by the resident or any of his officers, or by the defendant himself, shall deliver the summons to the nearest person empowered to execute the securities in the cases specified in Clause First, whether the resident, or the head officer of an auring or kotee, who shall proceed in the manner prescribed to the resident in that clause. If the officer shall receive the notification of the defendant being in the Company's employ, from the defendant only, and shall entertain doubts of his being so employed, or if he shall not entertain any doubt of his being so employed, but shall apprehend that he will abscond whilst he (the officer) is repairing with the summons to the person empowered to execute the securities, he shall, in such case, carry the defendant, with the summons, to the person so empowered, and shall not release him, until the required securities have been executed.

How warrants for bailable offences against persons employed in the Investment, are to be served.

Fourth. In cases in which a weaver or other manufacturer, or any officer or person during the time he may be actually employed in the provision of the Company's Investment, shall be charged before the magistrate with a bailable offence, the warrant shall be served in the manner directed in the preceding clauses with regard to summonses in civil cases, with this difference, that the warrant shall require the party summoned to appear in person or by vakeel, as the magistrate may think proper, and shall specify the amount of the sum for which the security or recognizance for the appearance of the defendant is to be given, and the amount of which shall be regulated by the magistrate, according to the nature of the charge, and the situation and circumstances in life of the defendant.

Return to be made on the back of summonses and warrants served as above directed.

Fifth. In all cases specified in the preceding clauses of this Section, the resident or head officer through whom the summons or warrant may be served, shall return on the back of it in what manner it has been served, and by whom the security has been executed.

Sixth.

Sixth. If a charge shall be preferred to a magistrate against any weaver or other manufacturer, or any officer or person employed in the provision of the Company's Investment, for an offence that is not bailable, and there shall appear to the magistrate sufficient ground for apprehending the person so charged, the warrant for his apprehension shall require him to appear immediately in person, and shall be executed in the same manner as upon persons not so employed. But the officer, after securing the offender, shall give notice of his apprehension to the resident, or the head officer of the nearest aurang or kotee.

Warrants for offences not bailable, how to be executed on persons in the Company's employ.

Seventh. The tehseldars, in their capacity of local chief officers of police, and the darogahs of police, shall observe the rules prescribed in clauses fourth and sixth of this Section, in complaints that may be preferred to them against weavers, or other manufacturers, or officers or persons in the employ of the Company.

Tehseeldars and darogahs of police to observe the rules in clauses fourth and sixth.

Eighth. In all cases in which the residents, or their head officers empowered for that purpose, shall become security, under any of the clauses of this Section, for the appearance of any person employed in the Investment, or for the fees of his vakeel, or shall declare any person whom the party summoned may offer as security, to be responsible, the resident shall be considered personally answerable for the due performance of the conditions of the security, in the event of the party, for whom the security may be given, not performing them himself, or, where the party himself shall have given the security, and it shall have been declared responsible by the resident, or his head officer of an aurang or kotee, in the event of the party or his surety not performing them. It will accordingly be the business of the residents to take care to employ creditable persons only as head officers at the several aurangs and kotees to superintend the business, and become security, and to furnish them with proper instructions, and to take such security from them, as they (the residents) may deem sufficient to indemnify themselves for the consequences that may result from any abuse which such officers may commit in the exercise of their trust.

Residents and their head officers to be responsible for the performance of the conditions of the securities they may execute or approve.

Ninth. Summonses to weavers or other manufacturers, or officers, or any persons employed in the Company's Investment, as witnesses, shall be served in the same manner as if they were parties in the cause, but the judges will be careful not to summon such persons, excepting when their attendance shall be absolutely necessary, and on their appearance, to have them examined and dismissed with all practicable dispatch, so that they may be absent from the business of the Investment as short a time as possible.

How summonses on persons employed in the Investment when required as witnesses, are to be executed.

Tenth. The residents and their head officers are declared liable to be sued in the court of adawlat, should they apply any of the rules in the preceding clauses of this section, regarding summonses and warrants issued against persons employed in the Investment, to persons not bonâ fide so employed. And as the rules contained in those clauses are intended only to prevent unnecessary interruption to the Investment, where it can be avoided without impeding the course of justice, the judges and magistrates are empowered, in particular cases in which it may appear to them indispensably necessary for the purposes of justice, to order the personal attendance of any native officer or person in anywise concerned or employed in the Investment, whether he may be a party or a witness in the suit or prosecution, notwithstanding any thing that may be said to the contrary in those clauses, and to cause process to be executed on him for that purpose, in the same manner as upon other individuals; but, in such cases, the judges and magistrates shall record their reasons for deviating from the rules prescribed in the said clauses, which shall be considered as the general rules for issuing and executing such summonses and warrants, and in the summons or warrant they shall specify that it has been specially ordered to be so executed, in virtue of the discretionary power vested in them by this clause; and they are moreover strictly enjoined to refrain from every unnecessary exercise of this discretionary power.

Residents and their head officers forbidden to apply the above rules to persons not employed in the Company's Investment.

Discretionary power vested in the Judges and magistrates of causing the immediate attendance of all natives employed in the Investment.

Restrictions under which this discretionary power is to be exercised.

XI. All complaints of weavers against individual traders, and vice versa, shall be considered as matters of a private nature between the parties, who may have recourse to the proper courts of judicature, should they have any ground of complaint against each other for breach of engagements or other cause. The court shall decide according to the tenor of the engagements between the parties, if any engagements exist, and the Regulations. But where weavers are employed at the same time by more than one foreign or private agent, they shall deliver first to the previous contractor, and afterwards to the others, according to priority of engagements.

Transactions between private traders and weavers cognizable in the courts of Adawlat, the Judges of which are to decide according to the case and the Regulations.

XII. First. Decisions in favour of private merchants, or other individuals, against weavers who were in the employ of the Company at the time they entered with such private merchants or individuals into the agreements on which they are sued (their having been so employed being proved by the lists of the Company's weavers published at the cutcherries, and transmitted to the judge of the court of adawlat, as directed in Section IV. as well as by the dates of the respective agreements and transactions consequent to them) shall be made with a reservation to the Company of their claims on such weavers, which claims also are to be proved in court. And that this rule may be carried into effect, before execution follows at the suit of an individual against any weaver in that list, the Company's commercial resident shall be desired to state, whether such weaver was in the employ of the Company when the agreement on which he may be cast was made, as also whether the Company have any and what demand upon him, and to make proof of the same; which

Decisions in favour of private traders against weavers previously in the employ of the Company, to be made with a saving of their claims, which are to be first satisfied provided they be proved.

No. 10.

Regulations and
Orders, of the
Bengal Govern-
ment, respecting
The Weavers.

Punishment for gomastahs, &c. changing cloths, and committing the offences herein specified.

Rules regarding weavers applicable to others providing goods for the investment.

Rules for residents trading on their own account.

Resident to supply the Company's goods in the first instance.

To distinguish the Company's provision from his own.

Company's prices not to be made the standard of his own trade.

Not to use his official influence to make the manufacturers work for him in preference to others.

Subject to the same rules as private traders.

To deal on his own stock.

Not to trade in the name of another.

His goods not to be sold at his own aurung, nor sent to a foreign settlement.

To deliver an annual statement of his private trade to the Board of Trade.

Residents and their officers liable to be sued in the Adawlut for breach of Regulations under the restrictions herein specified.

being satisfied or secured, the sum decreed against him in favour of the individual shall next be made good from his property, but his person shall not be liable to attachment.

Second. The restriction contained in the foregoing clause, that the persons of weavers in the employ of the Company shall not be liable to attachment, in execution of decisions of the civil courts in favour of private merchants or other individuals, is not meant to restrict the confinement, under judicial process, of persons who may have satisfied all just demands upon them on the part of the Company, and who may not have taken new advances from the Company, or entered into new engagements with them, the fulfilment of which would be frustrated by the confinement of the contracting party. The several courts of justice will accordingly observe this explanation of the rule abovementioned in all cases to which it may be applicable.

XIII. Gomastahs, and all native servants and persons of whatsoever description, employed under the Company's factories or aurungs in the provision of their Investment, guilty of changing the Company's cloths; accepting of money from individuals for abetting or conniving at the alienation of them by the weavers; writing false balances in the Company's accounts; embezzling otherwise the property entrusted to them; or exacting money in any shape from weavers to whom advances are made; shall, on conviction in the court of adawlut to which they may be amenable, forfeit double the amount of the value of the property, or the money which they may have embezzled, alienated, or exacted; and shall be further liable to imprisonment for any term that the court shall judge proper, not exceeding twelve months; and upon the circumstances being represented by the Board of Trade to the Governor General in Council, he will, if it shall appear to him proper, declare the offender incapable of serving Government in any capacity.

XIV. All the rules in this Regulation, regarding weavers employed in manufacturing cloths for the Company, shall be considered to extend, in their principles and meaning, to the manufacturers and other persons employed in the provision of all other articles of the Company's Investment, provided within the provinces ceded by the Nawaub Vizier to the Honourable the English East India company.

XV. *First.* The following Rules are prescribed for the conduct of commercial Residents carrying on trade for themselves.

Second. The resident shall supply, or ensure the Company's demands for goods, as far as the ability of his aurung will go, before he provides any for himself.

Third. He shall carefully and avowedly distinguish to the manufacturers between the Company's provision and his own.

Fourth. He shall give them the price for which they may consent to deal with him, without making the Company's prices a standard for his own trade.

Fifth. He shall not make use of any influence he may possess, as the Company's representative, to induce the manufacturers to work for him, in preference to other dealers.

Sixth. He shall be subject to the same regulations, in case of disputes with manufacturers, as other private traders.

Seventh. He shall not take any commission for agents or others, but deal merely on his own stock as a merchant.

Eighth. He shall not carry on any trade in his aurung, directly or indirectly, in the name of any other person.

Ninth. Whatever goods he shall provide of the produce of the aurung where he is stationed, shall not be sold there, nor sent to any foreign settlement, but shall be consigned to some other place, and if brought to any of the stations established for the collection of the Government customs, shall be registered in his name in the custom-house books.

Tenth. He shall state to the Board of Trade, by the 15th of December in every year, the gross amount of the money invested or to be invested by him on his own account, as nearly as he can judge of the same, from the 1st May preceding to the 30th April following, and the Board of Trade shall thereupon communicate to the Governor General in Council any remarks that may appear to them proper.

XVI. The commercial residents, and their native officers of every description, are declared liable to be sued in the court of adawlut by weavers or others with whom they may use compulsion to make them enter into the Company's employ, or whose names they may improperly insert in the list specified in Section IV, or whom they may not pay for their cloths or goods, according to the engagements entered into between them and the Company, or who may not obtain in due time a fair settlement of accounts, or who may suffer unjust exactions from peons put over them, or for any breach of this regulation, or any other regulation

regulation regarding the provision of the Investment, printed and published in the manner directed in Regulation I, 1803. In all such cases, whether the act complained of shall have been done by the resident, or any of his officers, the party aggrieved, in the first instance, shall state his complaint to the resident, and in the event of his refusing to afford the required redress, or omitting to grant it within a reasonable time, the complainant may then sue the resident, whether the injury complained of shall have been done by himself or his officer. But the courts shall not receive any suit that may be preferred against a resident, or any of his officers, unless the complainant shall prove, to the satisfaction of the court, by oath, or by any other mode which the court may deem satisfactory, that he applied to the resident for redress, and that he refused to afford the redress required, or omitted to grant it within a reasonable time. Either party dissatisfied with the award or decision of a resident, or any complaint made to him under this section, may appeal from it to the court of adawlut.

XVII. In suits instituted against a resident, or any of his officers, under the preceding Section, and where the act complained of shall not have been done pursuant to special orders from the Board of Trade, or the Governor General in Council, the party complained against shall appoint one of the authorized vakeels of the court to defend the suit at his own risk.

Resident and his officers
to defend suits insti-
tuted against them for
a breach of the Regula-
tions, at their own risk.

XVIII. The residents may take upon themselves the defence of any suits which may be instituted against their officers, but, in such cases, the residents shall be answerable for the decree of the court, in the same manner as if the suit had been originally instituted against them.

Residents may take
upon themselves the
defence of suits insti-
tuted against their
officers.

XIX. When any process shall be issued by a court of civil judicature to a commercial resident, the judge or the register of the court shall transmit it, under a sealed cover addressed to the resident in the form of a letter, and superscribed with his name and official appellation. The resident shall immediately acknowledge the receipt of the process, by an endorsement to that effect on the instrument, and return it, under a sealed cover addressed to the judge or the register of the court from which it may have issued.

Process issued against
residents, how to be
served.

XX. Where the board of trade shall approve of decisions given against the commercial residents, or their officers, in suits in which they may have been engaged in their official capacity, and which may not have been prosecuted or defended by them, pursuant to orders from the Board, or the Governor General in Council, they are empowered to make the resident, or his officer by whom the act complained of may have been done, responsible for the whole or any part of the costs and damages awarded by the decree, or of the decree itself, if, upon a consideration of the merits of the case, and of the conduct of the person against whom the decree may have been given, or the act complained of may have been done, they shall be of opinion that the Company ought not to be charged with all or any part of such costs or damages, or decree. But, in such cases, the person whom they may so determine to hold responsible, may appeal the cause at his own risk and cost.

By whom decrees,
costs and damages
given against residents
and their officers are to
be made good.

XXI. If the Board of Trade shall be dissatisfied with a decree passed against a commercial resident, or any of his officers, in suits in which they may have been engaged, either with or without their orders, or the orders of the Governor General in Council, they may authorize an appeal from it under the regulations, in which case, the appeal shall be carried on in the provincial court of appeal, and in the sudder dewanny adawlut, (should the cause be carried to the last mentioned court) by the vakeel of Government, or by any other authorized vakeel of the court into which the cause may be brought, notwithstanding any thing that may be said to the contrary in any regulation passed on this date.

Board of Trade may
authorize an appeal
from any decision
passed against the resi-
dent or his officers.

XXII. Security shall not be demanded from the commercial residents, or the head officers of aurungs or kotees, who may be empowered to execute securities for their personal appearance in any suit in which they may be engaged in their official capacity; nor shall security be required from them for the payment of costs or damages, or for the performance of the decrees or orders of the courts, as Government will be responsible for causing the residents to answer to such suits instituted against them, and to make good the decrees, and will hold them responsible for their head officers of aurungs or kotees answering to such suits preferred against them, and performing the decrees that may be passed therein.

Security not to be de-
manded from residents
or their head officers
for their appearance, or
costs or damages or de-
crees.

XXIII. The residents, and their head officers of kotees or aurungs, shall not be liable to prosecution for official acts of their predecessors. But persons who may be removed from a residency, or from the place of head officer of an aurung or kotee, shall carry on in the same manner as if they had continued in the office, all suits instituted against them in their official capacity, unless the Board of Trade, upon a consideration of the circumstances of the case, shall deem it advisable to order their successors to carry on the suits. This rule, however, shall not extend to suits in which a resident or head officer, who may have been removed, shall have been engaged in virtue of orders from the Board of Trade, or the Governor General in Council. All such suits shall be carried on by the resident for the time being, and at the risk and expense of Government.

Residents and their
head officer, not liable
to prosecution for the
acts of their predeces-
sors.
What suits they are
bound to defend after
removal from office.

Residents and their head officers allowed to forward instructions to their vakeels by the dawk, free of postage.

Instructions to be sealed and inclosed under a sealed cover, addressed to the register of the court, who is to deliver them sealed.

The vakeels may in like manner forward instructions to their constituents through the register.

Cases in which the Board of Trade are to take upon themselves the prosecution or defence of suits or appeals.

Residents and their head officers not to derive any advantage from suits. Nor to sustain any loss if their conduct be approved.

Sums disbursed by residents and their head officers, not to be carried to the debit of the Company, without orders from the superior authorities.

Rules regarding commercial residents applicable to their assistants or other servants entrusted with the business.

Natives aggrieved under this Regulation by special orders of the Governor General in Council, or the Board of Trade, how to obtain redress.

XXIV. To facilitate the communication between the residents and their head officers of aurungs or kotees, and their vakeels in the zillah courts, or the provincial court of appeal, and the sudder dewanny adawlut, who may be entrusted with the conduct of any suits or appeals in which they may be engaged in their official capacity, either whilst they may continue in the office, or after their removal from it, they are permitted to forward, free of postage, any instructions which they may have to transmit to their vakeels in those courts. The instructions shall be enclosed under a sealed cover directed to the vakeel. The instructions so sealed and directed, shall be transmitted under a sealed cover, addressed to the register of the court in which the cause may be depending, and subscribed with the name and official appellation of the person dispatching it, or that which he bore when the cause of action arose. The register of the court, immediately on receiving the instructions, shall deliver them sealed to the vakeel to whom they may be directed. In like manner, the vakeels in any of the courts to whom the pleading of such suits or appeals may be committed by commercial residents, or their head officers abovementioned, are authorized, either whilst their constituents remain in such office, or after they shall have been removed from it, to forward any papers which they may have to convey to their constituents by the public dawk, free of postage. The papers shall be enclosed in a cover sealed with the seal of the vakeel, and the judge, or the register of the court, shall transmit the papers so sealed, in a cover sealed and addressed to the person to whom they are to be forwarded, and superscribed with his official signature.

XXV. In cases in which the Board of Trade may judge it expedient, or in which they may receive orders for the purpose from the Governor General in Council, they shall take upon themselves the superintendence of the prosecution or defence of any suit or appeal in which they or their officers may be engaged, either in a zillah court, or in the provincial court of appeal, or in the sudder dewanny adawlut, instead of leaving the superintendence of the conduct of the suit or appeal to the resident, or any of his officers.

XXXVI. Neither the commercial residents, nor their head officers of aurungs or kotees, shall derive any advantage whatever from suits in the courts of justice in which they may be engaged, or in anywise concerned in their official capacity. On the other hand, it is not intended that the residents, or their abovementioned officers, should sustain any loss in consequence of such suits, where their conduct may be adjudged to be conformable to the Regulations, or may be approved by the Board of Trade, or the Governor General in Council. The commercial residents, and their head officers of aurungs or kotees, will accordingly bring to the credit of the Company in their accounts all sums whatever that may be adjudged to them by any of the courts of justice, and will note, at the foot of their accounts, or in a separate account, or under a distinct head in their accounts, according as the Board of Trade may direct, all sums which they may disburse, or be adjudged to pay on account of suits in which they may be engaged, or be concerned in their official capacity; but no such disbursements or payments shall be considered as passed to the debit of the Company, until the previous sanction of the Board of Trade or the Governor General in Council shall have been obtained for that purpose; and until such sanction shall be procured, the residents or the officers making the disbursements or payments, will be held answerable for the amount.

XXVII. The rules in this Regulation respecting commercial residents, shall be considered equally applicable to their assistants having the charge of the business, or to any other person being a covenanted servant of the Company, and entrusted with the superintendence of the provision of goods for the Company's Investment at any aurung, whatever may be his official appellation.

XXVIII. If a weaver or manufacturer, or any native employed in the provision of the Company's Investment, shall deem himself aggrieved by any act done in opposition to this Regulation by a commercial resident, or any covenanted servant of the Company having the charge of the business of an aurung, pursuant to special orders from the Board of Trade, or the Governor General in Council, he will be at liberty to seek redress in the mode prescribed for such cases in Section XV, Regulation II, 1803.

A.D. 1805. REGULATION IV.

A REGULATION for extending to the Province of Benares, Regulation XXXI, 1793, entitled, "A Regulation for re-enacting, with modifications and amendments, the Rules passed on the 23d of July 1787, and subsequent dates, for the conduct of the Commercial Residents and Agents, and all Persons employed or concerned in the provision of the Company's Investment;" and also, for exempting from duty all goods and articles provided in the Province of Benares, on account of the Investment of the Honourable East India Company.—PASSED by the Governor General in Council, on the 25th April 1805; corresponding with the 14th Bysaack 1212 Bengal era; the 12th Bysaack 1212 Fussily; the 14th Bysaack 1212 Willaity; the 11th Bysaack 1862 Sumbut; and the 24th Mohurrun 1212 Higeree.

WHEREAS it has hitherto been the practice to provide the Investment of the Honourable the East India Company in the province of Benares, by purchasing the goods brought for sale by the manufacturers with ready money; or by contracts made with native dullols, or dustooreas, for the provision of the goods; instead of making advances to the manufacturers, for the provision of goods of specified dimensions, and of a certain quality; in the manner observed in the provinces of Bengal, Behar, and Orissa: And whereas the adherence to the said system has operated to prevent the desired improvement of the fabrics, and to render the provision of the requisite quantity of goods uncertain: And whereas, by making advances to the manufacturers for goods of the required quality and dimensions, under the rules contained in Regulation XXXI, 1793; and by extending the said Regulation to the province of Benares, the commercial officers of the Company will be enabled to effect the desired improvements in the quality of the manufactures; and to ensure the punctual delivery of the required quantity of goods; and the Company, the weavers, and other manufacturers, and the private traders of every description will, under the protection of the laws, be secured in their just rights, in the transaction of their respective concerns; according to the tenor of the agreements under which such concerns may be conducted: And whereas the objections which formerly existed against the exemption of the goods, provided on account of the Company's Investment, in the province of Benares, from the payment of duties at the custom-houses within that province, have ceased to exist, in consequence of the agreement concluded on the 27th of October 1794, with the Rajah of Benares, regarding the appropriation of the surplus revenue of the said province; THE following RULES have been enacted, and are to be in force in the province of Benares from the date of their promulgation.

II. The Rules contained in Regulation XXXI, 1793, are hereby declared to extend to the province of Benares, with the alterations and modifications regarding the weavers and others employed in the provision of the Company's Investment, contained in Regulations V, 1800, and IX, 1801; as far as the same are applicable to the province of Benares.

providing goods for the Investment contained in Regulation V, 1800, and IX, 1801, as far as they are

Regulation XXXI, 1793, extended to the province of Benares; with alterations and modifications, regarding weavers and others applicable to Benares.

III. Commercial residents or agents, and others employed to provide goods for the Honourable Company's Investment, shall take out rowannahs to accompany the goods, which are to pass a custom-house station. Such rowannahs shall be granted upon official application for them being made in writing to the collectors, but no customs commission or fees shall be levied on such goods.

Rowannahs to be taken out for the Company's Investment; such goods not liable to duty.

Papers relating to East India affairs [Resident Europeans ; Police.
Missionaries. Weavers, and investments] ; Ordered to be printed, 14. April
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